
LIBRARY OF CONGRESS
1800

Scanned from the collections of
The Library of Congress



Packard Campus
for Audio Visual Conservation
www.loc.gov/avconservation

Motion Picture and Television Reading Room
www.loc.gov/rr/mopic

Recorded Sound Reference Center
www.loc.gov/rr/record

FILE COPY
DO NOT REMOVE

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64. NO. 65 NEW YORK, U. S. A., FRIDAY, OCTOBER 1, 1948 TEN CENTS

3 COPY JUL 1 1987 MP 10-17-87

Unmoved Over Tales of 'Weak Decree': Allied

Myers Defends Numerous Suits, Blasts the Majors

WASHINGTON, Sept. 30.—Allied States Association does not "view with alarm the persistent rumors of an effort to negotiate a new, ineffective, milk-and-water consent decree" in the Paramount case, Allied counsel Abram F. Myers said here today.

At the same time, Myers defended the number of anti-trust court proceedings involving distributors as being for the industry's own good.

The Allied counsel blasted the majors for "continuing their delaying tactics, and contesting proceedings in the New York Paramount case by mandate, step by step, adding they are making use of the latitude given them by the Federal rules of civil procedure to harass the Government with

(*Continued on page 4*)

Myers Hails Alger Ruling as a Wedge

WASHINGTON, Sept. 30.—Allied States counsel Abram F. Myers today defended exhibitors hit by distributors' percentage suits, and hailed Judge Campbell's ruling in the Alger case in Chicago as "opening the way for the exhibitor to test the very foundations" of these suits.

On Sept. 16, Judge Campbell referred to a special master the question of whether or not exhibition contracts on which the suit was based were legal, and whether a finding that they were illegal under the Supreme Court's Paramount decision

(*Continued on page 4*)

Second SOPEG Unit Quits for 'IA' Tie

Second home office unit of "white collarites" to withdraw from the Screen Office and Professional Employes Guild (CIO) is Republic's, "an overwhelming majority" of its employes having petitioned AFL's IATSE Motion Picture Home Office Employes Local No. H-63 yesterday to establish a shop there. H-63 won

(*Continued on page 2*)

U. K. Production Flounders As New Quota Is Applied

LONDON, Sept. 30.—With Britain's new 45 per cent exhibition quota and the American industry's policy of booking complete American programs for double bills both becoming effective tomorrow, an already confused production situation here becomes even more uncertain.

Contributing to the uncertainty of production plans here is the inability of British producers to decide whether they should continue to make a considerable number of their pictures with the American market in view or to discount completely possibilities of American playing time.

To that, British exhibitors are adding their own anxious corollary: Are

(*Continued on page 4*)

Seek Top Executive Parley This Month

A meeting of film company presidents, other top-echelon executives and studio officials is being considered for this month on the Coast for a general discussion of industry matters, both foreign and domestic, it is understood.

Such a session is said to have been talked about for the past several weeks and while no specific date has been set, it is said tentative plans are to have it coincide with the return to the U. S. of Eric A. Johnston, president of the Motion Picture Association of America, who is now in Europe. Johnston is expected to return here in about two weeks.

One company president said yester-

(*Continued on page 2*)

Tesma Will Accept Associate Members

ST. LOUIS, Sept. 30. — Theatre Equipment and Supply Manufacturers Association will amend its bylaws to open associate memberships in TESMA to firms and individuals connected with the theatre industry, but not manufacturers, it was announced today as the TESMA trade show drew to a close. Architects, builders, export agents, advertising agencies, and financial companies were cited as examples of businesses eligible for associate membership, according to Roy Boomer, TESMA secretary.

At the same time, Theatre Equipment Dealers Protective Association voted to eliminate "Protective" from its title and will hereafter be known

(*Continued on page 2*)

CRI Checkers Exempt From Wisconsin Law

The Attorney General of Wisconsin has ruled that the activities of Confidential Reports, Inc., do not come under the private detective licensing law of that state and its field agents are not required to be licensed, according to CRI.

"This decision was based upon the fact that checking activities of CRI are not secret and are conducted with the knowledge of the exhibitor," stated the organization here yesterday.

Armat, Inventor of Projector, Is Dead

WASHINGTON, Sept. 30. — Thomas Armat, aged 82, inventor of the projector which delivered the motion picture from the peep-show to the screen for the founding of the industry of the picture theatre, in the United States, and with worldwide influences, died today at his home, Greystone, Kingle Road.



Thomas Armat

Armat's projector contribution is known in the annals as the Vitascope, the machine which opened the Broadway career of the screen on April 23, 1896, at Koster and Bial's Music Hall in Herald Square, New York. It was first for

(*Continued on page 2*)

Exhibitors to Share In 'U' Drive Prizes

CHICAGO, Sept. 30.—Universal Pictures for the first time will offer cash incentives to exhibitors for the most proficient handling of its pictures, during the "Unity Sales Drive," William A. Scully, distribution vice-president, announced at the company's third regional sales meeting at the Hotel Blackstone here. The exhibitor prizes in the drive, commencing Oct. 31, will

(*Continued on page 4*)

Ascap Cites U. S. Decree As a Defense

Wants to Add Evidence If Findings Stay As Is

Asserting that certain phases of its operations had the approval of the Government, the American Society of Composers, Authors and Publishers intends to rely to some extent on the consent decree which it entered into with the Department of Justice in 1941 for support of its motion to modify the opinion of New York Federal Judge Vincent L. Leibell in the case against it by members of the Independent Theatre Owners Association.

Ascap filed notice of the motion with the court yesterday, accompanied by 25-page affidavit by Louis D. Frohlich, litigation counsel for the society, who tried the New York case.

Throughout his document, Frohlich asks that numerous findings and conclusions be revised to specify that only

(*Continued on page 4*)

Paramount Adds to Its Fla. Holdings

Paramount, in its quarterly report to the New York Federal Court on holdings, disclosed yesterday that it had purchased additional stock in four Florida companies in accordance with contractual obligations with Frank Rogers and other partners in that state.

As a result of the purchases, Paramount's interests in the four circuits now are as follows: Hollywood Amusements, 92 per cent; Florida Coastal Theatres, 97 per cent, and

(*Continued on page 2*)

ITOA Adopts Smith Conciliation Plan

Unanimous approval of the exhibitor-distributor conciliation plan sponsored by 20th-Fox general sales manager Andy W. Smith, Jr., was registered yesterday by the board and membership, successively, of the Independent Theatre Owners Association of New York at meetings which were addressed by Smith. ITOA is the third exhibitor organization to adopt the plan.

The organization established a con-

(*Continued on page 4*)

PN1993
.M43
X Copy
M.P.D.

Personal Mention

GRADWELL SEARS, United Artists president, returned to New York yesterday from Hollywood.

•

SYDNEY WYNNE, J. Arthur Rank's public relations head, and MRS. WYNNE, and NORMAN KRASNA, producer, and his wife are among passengers sailing for London today on the *SS Queen Mary*.

•

JULES LAPIDUS, Warner Eastern and Canadian division sales manager, will return to New York over the weekend from Chicago.

•

ERIC A. JOHNSTON, Motion Picture Association of America president, is in Rome awaiting departure for Belgrade.

•

LEON BAMBERGER, RKO Radio exhibitor relations head, will return to New York today from Kansas City.

•

PAUL BRODER, Realart president, is due here today from Detroit.

•

WALTER WANGER is due here from the Coast on Monday.

Coyne Ends Paid Status at TOA

Robert W. Coyne's status as salaried executive of Theatre Owners of America officially terminated yesterday and indications are that he will enter exhibition, probably in association with Ted R. Gamble, head of Monarch Theatres. Gamble is expected in New York from his Portland, Ore., home in about 10 days when he and Coyne reportedly will discuss a possible post.

First executive director of TOA, recently succeeded by Gael Sullivan, Coyne will continue with the organization as a member of the executive committee. He was instrumental in organizing and establishing TOA and putting it on a smoothly functioning basis.

Stockholder Files Suit

Warner minority stockholder Anna Kasner filed a stockholders suit in U. S. District Court here yesterday against United States Pictures, Warner Brothers, Joseph Bernhard, Robert W. Perkins, Milton Sperling, Harry M. Warner, Jack L. Warner and Morris Wolf, charging conspiracy in behalf of United to the alleged detriment of Warner. The suit asks for an accounting on a deal made in 1945 between United and Warners for the production of six pictures.

Warner officials were not available here yesterday for comment.

Beg Pardon

George Dembow was inadvertently referred to in these columns yesterday as president of National Screen Service instead of vice-president. Herman Robbins is president of NSS.

Para.-20th Video Conflict Sharpens

WASHINGTON, Sept. 30.—Paramount and 20th Century-Fox took some swipes at each other's plans for a San Francisco television station, in submitting proposed findings and conclusions to the Federal Communications Commission today on the San Francisco video proceedings.

The applications freeze announced today by the FCC indefinitely postpones any further action on the case, where the two film companies and three other applicants are jockeying for two available channels.

Paramount said 20th-Fox had applications in once for stations in New York, Boston and Los Angeles, and quoted 20th-Fox president Spyros Skouras as testifying that they were withdrawn because there did not seem to be any prospect of profit. Fox is trying to get back in the field, now that there is some hope of making money, Paramount charged.

Twentieth-Fox said Paramount had no residence in the San Francisco area and charged that the program policies of Paramount "are not in keeping with the highest standards of broadcasting practice."

FCC 'Freeze' Applies to 303 Pending Applications

WASHINGTON, Sept. 30.—The Federal Communications Commission said today it would not process or grant any pending or new applications for commercial television stations until it has had a chance to overhaul its video rules and policies.

The expected freeze, which went into effect immediately, applies to 303 applications now pending, as well as many that may come.

Tesma Will Accept

(*Continued from page* 1)

as Theatre Equipment Dealers Association. Ray Colvin, TEDA presidential president, announced the 1949 convention will be held at the Stevens Hotel in Chicago.

Closing session of the convention, which reportedly surpassed previous ones with 2,500 in attendance, featured a demonstration of large-screen theatre television presented on a 20-foot by 15-foot screen by RCA.

Paramount Holdings

(*Continued from page* 1)

100 per cent ownership of Florida Inland Theatres and Clearwater Enterprises.

The four other theatre-owning defendants in the industry anti-trust case are expected to file similar reports with the New York court today.

Jeffrey to Paramount

Arthur Jeffrey, who recently resigned as exploitation manager of Eagle-Lion, has joined Paramount's publicity department for a special assignment on "Miss Tatlock's Millions." Jeffrey, who has been in the industry for more than 20 years, started with Paramount-Publix.

Herman Lorber, 52, Dies from Injuries

Funeral services for Herman J. Lorber, 52, veteran industry sales executive who died yesterday, are to be held at two P.M. today at Riverside Chapel, Manhattan. At the time of his death, Lorber was assistant to George J. Schaefer, sales vice-president of Enterprise, with which he became associated last February after 31 years at Paramount.

Lorber died in Roosevelt Hospital 24 hours after he had apparently fallen in front of an incoming subway train at the 49th St. BMT station. The widow, Jennie, survives.

Thomas Armat, 82

(*Continued from page* 1)

trade reasons offered as an Edison invention, "Armat design." Later, after complex negotiations leading to the formation of the Motion Picture Patents Co., the Edison Projection Kinetoscope came to bear a license number under the Armat patents, which had been adjudicated.

A long and tangled history lies behind the Vitascope, which in fact achieved its first public exhibition at the Cotton States Exposition in Atlanta, in September of 1895. Bitterly contested, and sometimes with the most extraordinary order of fabrications unsupported by documents and evidence, the Armat priorities were attacked. Among the consequences was a cleaning up of the motion picture exhibits of the Smithsonian Institution in Washington where contrary claimants' devices had been on display for years.

Armat was born on Oct. 20, 1866, at Fredericksburg, Va. He came of an old Colonial family with its roots in Germantown, Penn. It is a tradition there that one of his forebears was the inventor of an early stove for the burning of coal. He was educated in his native Virginia and Washington, and early tended to a scientific career. He was the inventor of various electrical devices and later of a number of motion picture mechanisms subsequent to the Vitascope. He was, however, more largely concerned with business, in the real estate firm of Daniels and Armat, and was the owner of a number of important properties in the District of Columbia. The motion picture was an incident in his career, although a profitable one.

Armat was specially honored by the Academy of Motion Picture Arts and Sciences and the Society of Motion Picture Engineers, and in more recent years has come into a degree of worldwide recognition for his contributions, after the settling of the dusts of controversy.

He is survived by the widow, Mary B. Armat, and two sons. The funeral is to be private and burial will be at his home town of Fredericksburg.

H. Sydney Wright, M-G-M British Aide

LONDON, Sept. 30.—H. Sydney Wright, 63, director of M-G-M British Studios, Ltd., and also legal adviser for Loew's interests here, died today at the Connaught Hotel while having lunch.

Top Executive Meet

(*Continued from page* 1)

day that, "we haven't had such a meeting in several years and it would be a good idea to have one now." The last such session recalled was one held during the depression years, more than 15 years ago.

It is expected that public relations on an industry-wide basis will be a definite part of the agenda. Paul MacNamara, advertising-publicity director of Selznick Releasing Organization, is understood to be planning to present his proposals for such a campaign at the meeting. The Motion Picture Industry Council in Hollywood this week approved the plan.

SOPEG Unit Quits

(*Continued from page* 1)

a shop election victory at United Artists' home office on Tuesday.

A spokesman for the Republic group said the exodus from SOPEG stemmed from that union's refusal to comply with the non-Communist affidavit provisions of the Taft-Hartley Law.

H-63 business agent Russell Moss said the local's attorney, Matthew Levy, will petition the National Labor Relations Board at once for a Republic election.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
GARY COOPER • ANN SHERIDAN
in LEO McCAREY'S
"GOOD SAM"
A Rainbow Productions, Inc. Picture
Released by RKO Radio Pictures
SPECTACULAR STAGE PRESENTATION

Barbara Stanwyck
Burt Lancaster
in
"SORRY, WRONG NUMBER"
A Paramount Release
In Person CARMEN CAVALLARO and his Orchestra THE MARTIN BROTHERS JACK E. LEONARD
PARAMOUNT TIMES SQUARE MIDNIGHT FEATURE NIGHTLY

James Nasser Presents
FRED MacMURRAY
MADELEINE CARROLL
"AN INNOCENT AFFAIR"
Released thru United Artists
RIVOLI B'way & 49th St.
Doors Open 9:30 A. M.

VICTOR MATURE . RICHARD CONTE
"CRY OF THE CITY"
A 20th Century-Fox Picture
ON VARIETY STAGE—DANNY THOMAS
THE SHYRETTOS . MARIE McDONALD
ON ICE STAGE—"THE BLUE DANUBE"
Starring JOAN HYLDGFT
ROXY 7th Ave. & 50th St.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; Theatre Sales; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

In the first 5 days of the . . .

SPYROS P. SKOURAS
35th Anniversary Celebration
SEPT. 26 to DEC. 25
INCLUSIVE!

Industry leaders from coast-to-coast join 20th Century-Fox, the leader of the industry* in the FALL FESTIVAL OF HITS kick-off with these 2 Great World Premieres!

World Premiere
NOW
ROXY–NEW YORK



CRY OF THE CITY

starring

VICTOR MATURE · RICHARD CONTE

with Fred Clark • Shelley Winters • Betty Garde • Berry Kroeger • Tommy Cook • Debra Paget • Hope Emerson • Roland Winters • Walter Baldwin

Directed by ROBERT SIODMAK · Produced by SOL C. SIEGEL

Screen Play by Richard Murphy • From a Novel by Henry Edward Helseth

World Premiere
NOW
FOX–DETROIT



JEANNE CRAIN · WILLIAM HOLDEN
and **EDMUND GWENN**

Apartment for Peggy

COLOR BY TECHNICOLOR

with GENE LOCKHART · Griff Barnett · Randy Stuart

Directed and Written for the Screen by GEORGE SEATON · Produced by WILLIAM PERLBERG

From a Story by Faith Baldwin

*Record to date in '48 . . . more hits than any other company on Variety's Scoreboard . . . more Champions than any other company on Motion Picture Herald's list of Boxoffice Champions . . . the only company to make the list every month!

Reich Documentary Quota is Unfilled

The U. S. industry has been able to supply only about 50 per cent of the 75 documentary films which the U. S. Army had planned to exhibit in Germany this year in connection with its program for educating the Germans in the ways of democracy. In consequence, the Army's Civil Affairs Division may undertake to produce such films on its own under contract with U. S. documentary producers in order to fulfill future requirements.

This was revealed here yesterday by Brig.-Gen. Robert A. McClure, chief of the New York field office of the Army's Civil Affairs Division, during an address before a luncheon-meeting of the Associated Motion Picture Advertisers in the Hotel Astor.

Youngstein Hits Distributors On Union Crisis Position

Max E. Youngstein, president of the Associated Motion Picture Advertisers, yesterday sharply criticized for their "lack of common decency" the distributors here which have refused to negotiate union contracts with the Screen Publicists Guild.

Youngstein, advertising - publicity vice-president of Eagle-Lion, also reiterated his earlier contention that the industry's handling of its public relations has been "butchered." However, Robert W. Coyne, Theatre Owners of America executive committee member, who followed as a guest speaker, termed the industry's public relations program "a challenging but not impossible job" for a united industry.

660 Theatres in French Zone Available for U.S. Films Oct. 15

Under a decision by the French military government in its sector of Germany 660 theatres in the French zone will be opened on Oct. 15 to American product, Irving Maas, Motion Picture Export Association vice-president and general manager, told the MPEA board of directors at a meeting here yesterday. With the addition of the French-zone houses there will be nearly 3,000 theatres available in the three Western zones, he pointed out.

French Seek Joint Filming in Paris

There is a great desire among independent producers in France to cooperate with Americans in joint production, Richard de Rochemont, March of Time producer, asserted here yesterday on his arrival on the *SS Queen Mary* after an eight-week trip to England, France and North Africa. De Rochemont pointed out, however, that there are difficulties such as rising costs, political instability and technical problems. De Rochemont said he came back with no definite production commitments but is "still looking into the matter."

Good Gal

Just in from the Coast—knows her theatre, publicity, exploitation, seeks opportunity in New York where skill and experience will be appreciated. Box No. 417, Motion Picture Daily, 1270 6th Ave., N.Y.C.

U. K. Production

(*Continued from page* 1)

the producers, in any event, capable of supplying enough pictures to meet the new quota?

J. Arthur Rank and Sir Alexander Korda still maintain that the answer to that is affirmative.

Exhibitors, however, are still skeptical, wondering whether producers will be driven to mass-production methods, and are still awaiting a clarification of production policy. Certainly, none is likely before Eric Johnston, president of the Motion Picture Association of America; Harold Wilson, president of the Board of Trade; Rank, and others, come to some kind of accommodation—which does not seem very probable in the near future.

Records show that in the first nine months of 1948, British producers have trade-shown 49 pictures, have 39 awaiting screening, and 24 in production, a total of 112.

The records are deceptive, though. Included are several which cannot be regarded as first features; some are outright featurettes whose only quota qualification is that they add up to the stipulated length of 3,000 feet.

A most liberal appraisal indicates that a maximum delivery of 65 first features may be expected by the end of the year, compared with approximately 55 last year.

The new 45 per cent quota law was based on the Producers Association estimate that 110 first features would be produced in the ensuing year. Producers themselves now admit that their maximum output in the year under review will be around 92 films. Exhibitors doubt it.

Myers Hails Ruling

(*Continued from page* 1)

barred distributors from recovering.

Myers pointed out the the general legal rule is that fraud vitiates everything and that once that charge is made, all other issues are put aside until that issue is determined.

"With all due respect to the ancient maxims concerning fraud," the Allied official added, "it seems to us that exhibition contracts should govern in these cases, because the entire controversy arises out of these contracts. . . . If they were illegal, the distributors should not be allowed to escape the consequences of their own wrong merely by emitting shrill cries of 'We wuz robbed'."

'U' Drive Prizes

(*Continued from page* 1)

augment the $65,000 to be distributed among the company's district and branch managers, salesmen and bookers.

The 26 weeks of the drive will be divided into two equal laps with 30 per cent of the prize money to be distributed in each lap and the final 40 per cent awarded in the combined laps, Scully explained.

SCTOA Meet Oct. 6

Los Angeles, Sept. 30.—Paul Williams and Harry Vinnicoff are scheduled to report on actions taken at the Theatre Owners of America convention last week in Chicago with respect to Ascap and exhibitor-distributor relations at a special membership meeting of Southern California Theatre Owners Association called for Oct. 6.

Allied Asks Drive To Increase Voting

Washington, Sept. 30.—Allied States has called upon the industry to launch a campaign "to get out the vote on Nov. 2," suggesting that newsreels include clips urging the people to turn out and vote.

Even if newsreels will not cooperate, Allied said, independent theatre owners should do the job on their own by ordering clips and by use of lobby signs. Allied said that a huge outpouring "would serve notice on our detractors that the American people can and do govern themselves."

Myers on Decree

(*Continued from page* 1)

demands for the disclosure of evidence, etc."

"Court proceedings, both public and private, are gradually ridding the industry of its monopolistic shackles," Myers said, in a bulletin to Allied members.

"The industry will attain peace, security and real prosperity only when the elements now affected by anti-trust litigation abandon the struggle to ignore the law and become reconciled to the fact that they must conform to the policies that Congress has prescribed for the regulation of interstate commerce," he declared.

Myers repeated two suggestions for remedial legislation previously offered by Allied: A special anti-trust court to expedite anti-trust litigation, and an amendment to the Robinson-Patman act to forbid price discrimination in rentals as well as in sales.

Referring to the Ascap situation, it was suggested that film producers and music copyright owners should voluntarily agree to clear public performing rights at the source, so that when an exhibitor licenses a film he will be granted in one contract all the rights necessary to exhibit the film in his theatre.

Myers said he believed Judge Leibell, in his New York anti-Ascap decision, had outlined a form of order "which when entered will render individual copyright owners incapable of asserting their rights against exhibitors and require them to grant public performing rights only to the producers of motion pictures."

Ascap Cites

(*Continued from page* 1)

Ascap's activities in the motion picture field are involved, that its business with all other commercial users of music was not in any instance an issue before the court.

Arguing in behalf of Ascap's administration of members' performing rights as condemned by the New York court, Frohlich insists that its contracts with members are non-exclusive, that the latter always reserved the right to do their own collecting, that this had the approval of the Government and had the effect of serving the purpose of the decree.

Frohlich offers that extensive litigation involving music and producer and exhibitor interests will result if the performing rights of Ascap compositions which now are synchronized in films are to be assigned by Ascap to the copyright owners as provided in Judge Leibell's conclusion.

Attacking the court's finding that producers should acquire both synchronization and performing rights to music at the same time, Ascap maintains that there is no consistent finding as to what producers will do regarding the "thousands" of cases where synchronization rights already have been cleared without the performing rights. Moreover, he holds that the order to deal directly with producers represents "an imposition of fixed channels of trade, and it would impose unreasonable restraints on individuals who have the right to act independently."

Ascap submits further that the question of films exhibited outside the U. S. and those produced outside the U. S. was not litigated, therefore any injunctive relief granted plaintiffs should not include these.

A hearing is scheduled for Oct. 6.

Conciliation

(*Continued from page* 1)

ciliation board which will investigate any exhibitor complaints against 20th. It includes: chairman Max A. Cohen, Leon Rosenblatt, J. Joshua Goldberg, Irving Renner, A. D. Erickson, Abe Leff, and ex-officio members Harry Brandt and David Weinstock.

Following new members were inducted into the ITOA at yesterday's meeting: Jerome N. Britchie, Joseph Rosenbloom, Morris Klein, George Walsh, and six Metropolitan area Trans-Lux theatres.



Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64. NO. 66 NEW YORK, U.S.A., MONDAY, OCTOBER 4, 1948 TEN CENTS

FILE COPY DO NOT REMOVE

MOTION PICTURE ... INC. (CO... 18.

50 Listed by Yates, Grainger For 1948-1949

Report Exhibitors Ask For Increase of 'B's'

Thirty-four features, 16 outdoor action dramas and Westerns, four serials, and four one-reel novelties constitute Republic's 1948-49 program, it will be announced today by Herbert J. Yates, president, and James R. Grainger, executive vice-president in charge of distribution. The company reported that a survey of exhibitor reaction indicated support for an increased number of "B" pictures.

Budgets for Deluxe product will range from $800,000 to $1,200,000, the Roy Rogers productions. in Trucolor will be produced at their present cost of $500,000, and the balance of the program will be budgeted in accordance with its category.

Heading the "Deluxe" schedule are two starring John Wayne, "Wake of the Red Witch," produced by Edmund Grainger and directed by Edward Lud-

(*Continued on page 4*)

Col. District Meet To Open Here Wed.

Sales and distribution plans for Columbia product will be discussed at a three-day district managers' meeting which will open here Wednesday at the Warwick Hotel, with A. Montague, general sales manager, presiding.

Attending from the home office, in addition to Montague, will be Rube Jackter, Louis Astor, Louis Weinberg, Irving Wormser, Maurice Grad, George Josephs, H. C. Kaufman, Joseph Freiberg, Seth Raisler, Vincent Borelli, Sydney Singerman, Irving Sherman, Irving Moross and William Brennan.

Mel Gold Is President Of Film Video Group

Melvin L. Gold, director of advertising-publicity for National Screen Service, has been elected president of National Television Film Council. Gold, who organized NTFC, was unanimously voted into office along with Burt Balaban, film director of Paramount, as vice-president; Robert M. Wormhoudt, vice-president of Telecast Films, secretary, and Robert W. Paskow, film director of station WATV, Newark, treasurer.

No Theatre Changes Reported by Majors

Loew, Warner, 20th Century-Fox and RKO on Friday filed with the New York Federal Court their quarterly statements on theatre holdings, all reporting no sales or purchases for the past three months. Paramount had filed on Thursday, reporting purchases of additional stock in four Florida circuit affiliates. All five companies maintained the necessity of the reports remains in doubt because of the U. S. Supreme Court opinion in the anti-trust suit against the companies.

Minneapolis Is Still In a Clearance Whirl

MINNEAPOLIS, Oct. 3.—An already deeply-mired clearance schedule in Minneapolis and its suburbs faces more complications as the suburban Hopkins, eight miles West of the city, is preparing to ask for pictures on 28 days availability, and the 280-seat Loop Pix has again changed its mind and has asked exchanges to offer it moveover runs.

The Hopkins is eyeing the 28-day run because the management opposes junior prices on its present 42 and 47-day clearance. The real clearance blowup will come if the Hopkins goes to 28 days because the St. Louis Park (Fields and Kaplan), with 42 days, is located midway between Hopkins and the Uptown (Minnesota Amusement Co.), a 28-day run.

U. S. WANTS 1,400 DIVESTED IN YEAR

Asks Total Divorcement In 5-Year Period with Cross-Licensing Ban

WASHINGTON, Oct. 3.—The Justice Department will ask the New York District Court to order the "big five" Paramount case defendants to get rid of their interests in at least 1,400 theatres within a year of a final judgment in the case.

It will also seek complete divorcement of production-distribution from exhibition and "substantial" additional divestiture over and beyond the 1,400 theatres, to be carried out in a five-year period.

This was revealed as the Department gave the defendants copies of the order and findings it will ask the New York District Court to lay down when hearings resume on the Paramount case later this month.

115 Firms Hold 1,400 Theatres

The Department asks the court to order the big five to withdraw within a year after judgment from 115 companies jointly owned with independents or would-be independents. These 115 companies control some 1,400 theatres and include such large outfits as the Butterfield theatres, Interstate Circuit, Jefferson Amusement Co., Malco Theatres, Metropolitan Playhouses, Inc., Paramount-Richards Theatres, Inc., Penncom Corp. (Comerford), United West Coast Theatres, and Texas Consolidated Theatres.

Paramount, it is obvious from the list, would be hardest hit by the proposal.

Justice will also ask for an injunction against acquisition of any theatre by an exhibitor defendant which com-

(*Continued on page 3*)

Firm Grosses Cited by WB

HOLLYWOOD, Oct. 3.—An anticipated summer drop-off in theatre grosses did not materialize, it was pointed out at the weekend by Warner studio executives participating in conferences here.

The Warner studio, which reports it led in production activity this summer, will taper off with the completion of five features now shooting, only two new films being scheduled to start during this month, the company announced.

During the period of lessened pro-

(*Continued on page 4*)

'Fireworks' at NCA Meet Seen by Kane

MINNEAPOLIS, Oct. 3.—Illegal forcing of inferior product to get desired features will highlight a regional convention of North Central Allied, scheduled for Oct. 11 at the Epley Hotel, Sioux Falls, S. D.

Meeting is expected to furnish some heavy fireworks, according to NCA executive director Stan Kane, who

(*Continued on page 4*)

11 Eastern Film Crafts Unite for Mutual Benefit

Representatives of 11 guilds, crafts and unions engaged in motion picture production in the East met at the Park Central Hotel here at the weekend to discuss the establishment of a forum for the exchange of views and facts, for the examination of mutual problems and for the consideration of changes and expansion in the field.

The meeting was held under the sponsorship of the Screen Directors Guild, New York. Besides the Guild, the following organizations were represented: Motion Picture Studio Mechanics, Local No. 52; IATSE; Motion Picture Laboratory Technicians, Local No. 702, IATSE; Screen Cartoonists, Local No. 1461; United Scenic Artists of America, Local No. 829; Association of Documentary and Television Film Cameramen; Screen Actors Guild; Associated Film Writers; Motion Picture Film Editors, Local No. 771, IATSE Motion Picture Assistant Directors, Local No. 161, IATSE; International Photographers of the Motion Picture Industry, Local No. 644, IATSE and MPMO.

לשנה טובה תכתבו

1948 — 5709

TOA Slates 60 Days Promotion Planning

During the next 60 days members of Theatre Owners of America's public relations committee will be in consultation on ways and means to establish a permanent public relations setup in accordance with the resolution adopted at the recent TOA convention in Chicago, it was announced at the weekend at TOA headquarters here.

Personal Mention

ARTHUR H. LOCKWOOD, Theatre Owners of America president, is due here on Wednesday from Boston.

•

GERALD MAYER, general manager of Motion Picture Association of America's international division, left here by plane at the weekend for Rio de Janeiro.

•

HUGH OWEN, Paramount Eastern and Southern division sales manager, left here yesterday for a tour of Southern branches.

•

LEO SELIGMAN, Favorite Films Corp., treasurer, will leave here tomorrow for Detroit, Cleveland and Buffalo.

•

FREDERIC ULLMAN, JR., RKO Radio producer, is in New York from the Coast.

•

JOHN P. BYRNE, Eastern M-G-M sales manager, will leave New York today for Buffalo.

•

HAL WALLIS left Hollywood at the weekend for New York.

Mrs. Minzesheimer, Marcus Loew Widow

Funeral services for Mrs. Caroline Minzesheimer, 77, widow of the late Marcus Loew, will be held on Wednesday, at Rudolph Sholem Temple here. Mrs. Minzesheimer died of a heart attack Friday morning at her home in the Sherry Netherlands Hotel.

Surviving are her second husband, Max Minzesheimer, whom she married in 1933; two sons, Arthur M. Loew, president of Loew's International, and David L. Loew, chairman of the board of Enterprise Productions, and four grandchildren: Mrs. Jane Morse, David Loew, Jr., Marcus Loew, 2nd, and Virginia Loew.

Will Baker, 48, Dies; Rep. Branch Manager

CHICAGO, Oct. 3.—Will Baker, 48, Republic Midwestern sales manager, died last Thursday after several months' illness. Born in St. Louis, he had been on Chicago's film row for 25 years and had been with Republic for the past eight years, relinquishing his post as branch manager here because of his illness. He is survived by the widow, two sons, his mother and father. Burial services were held at Oakwood Cemetery here.

Mrs. Norman Rydge

Word was received in New York on Friday of the sudden death of Mrs. Norman B. Rydge and Stephen Rydge, six years old, wife and son of the head of Greater Union Theatres, Sydney, Australia. Mrs. Rydge had been in poor health for some time.

Insider's Outlook

By RED KANN

THE big unsolved equation at the TOA convention in Chicago swung around the unanswerable question of what kind of business this will be when the Government suit is ended.

There was *Ted Gamble*: "Our troubles with the New York case are far from over. The re-consideration of the matter [by the lower court] may result in a decree presenting new problems for exhibition."

And *Herman Levy*: "Substantially the same [lower] court that pinned so much hope on competitive bidding will probably evolve a new system of doing business. Let us hope it will be one that the industry can live with; that will consider carefully the effects of it on the smaller exhibitor, almost hopeless in this situation. . . . There is rumor . . . looking toward a consent decree. Although you are directly affected, you won't know about it—you are not a party to the suit . . . you are as a voice crying out of the wilderness."

Barney Balaban, too: "It would be premature at this time to hazard any guess as to what their [the Supreme Court's decisions] ultimate effect will be. Suffice it to say that there will be far-reaching changes. . . . These cases, if carried to their ultimate objectives, will inevitably change the nature of our industry. That covers production, distribution—and exhibition."

■

There was more of this, but never a part of the convention record. There was considerable conversation wherever exhibitors met about a future which no one could foretell. The atmosphere was heavy with uncertainty, not so much about how much business theatremen will be doing but through what mechanics it will have to be done.

It was interesting to note there were astonishingly few complaints about receipts. Grosses are off, of course, but the exhibitor in Chicago last week who claimed he was not doing well is yet to be found.

Theatre operators affiliated with the five major defendants in the Government suit, moreover, took it for granted the existing order will change. They expect theatre divestiture. How much, where and under what conditions they did not profess to know. But, insofar as divorcement hitting them as a surprise may be concerned, such a possibility simply did not exist. These men have discounted everything but the particulars.

■

It wasn't solid gloom, and no one should have the impression it was. There were lighter moments like this from Balaban: "It has become so that when a company president calls me for a conference, I automatically inquire, 'What kind of a lawyer shall I bring with me'?"

Or Levy's experience in Los Angeles with George Bowser of National Theatres. After a detailed discourse on the big suit, Bowser berated his own legal staff for failing to acquaint him with what a lawyer from the East had explained. "Now I know there's a difference between the lower court and the higher court," said Bowser.

■

Robert Wright of the Department of Justice was not above a quip, too. Careful to explain at the outset of his informal remarks that his was not a speech, he said, "If I were making a speech it would have to clear public relations first. When they finished, it wouldn't mean very much."

And the several from George Jessel, master-of-ceremonies at the banquet: "I looked over box-office receipts before I came here and now I want to know what you are celebrating." He also said he had met the President in California, but had refrained from a political speech. "Under my contract," Jessel said, "I can't discuss politics. That is, unless Zanuck runs for office."

■

A couple of New Yorkers were amused by this yarn caught, and played straight, by the *Herald-Tribune*:

"Al, handicapper for 'The Daily Worker', picked two winners at Belmont Wednesday, including the longest shot of the day, which paid $21.90. The other horse, Storm Hawk, paid $8. But because of a mechanical breakdown, the Communist organ was unable to print the full results in yesterday's edition. The name of the horse that returned $21.90 for $2 was Iron Curtain."

■

The outbound Century carried 163 passengers. "And everyone a Paramount partner," observed one who wasn't.

Newsreel Parade

THE East and West in a showdown before the UN and Truman and Dewey touring the country are current newsreel highlights. The Zhdanov funeral, sports, fashions, and science round out the reels. Complete contents follow:

MOVIETONE NEWS, No. 77—East-West showdown before UN. Soviet pays final tribute to Zhdanov. President at it sees former vice-president Garner. tours California. Warren opens GOP office in New York. Thousands witness Greek Holy Cross celebration. The 18-year-olds at Fort Bragg. Sports: football, "hell-drivers."

NEWS OF THE DAY, No. 209—Democracies arraign Soviet threat to peace. Moscow funeral. Warren in New York. Dewey in California. Truman in Texas. New swim-suits.

PARAMOUNT NEWS, No. 12—Truman in Denver. Presidential race enters final weeks. News of global interest: new UN "war of words." Italian Reds rally for Togliatti. First pictures of Zhdanov funeral.

UNIVERSAL NEWS, No. 183—East and West clash at opening UN session. New queen welcomed at Hague. Truman and Dewey round up the votes. Football.

WARNER PATHE NEWS, No. 14—East-West conflict faces UN. French fashions. People in the news: Truman, Dewey, Warren, Togliatti, Juliana. Football. Rodeo. Great events: Columbus discovers America.

10% Pay Increase to Pathe's 'Collarites'

Following the pattern established in recent negotiations with Warners and Universal, a 10 per cent blanket wage increase has been won by IATSE Motion Picture Home Office Employes Local No. H-63 for the "white collarites" at Pathe Laboratories here, dispelling the threat of a strike.

Employes negotiating group was led by H-63 business agent Russell Moss, and the company was represented by Pathe vice-president Nick Tronolone.

Brecher Named New MMPTA President

Leo Brecher has been named president of Metropolitan Motion Picture Theatres Association, succeeding Fred Schwartz, who becomes chairman of the board. Other officers elected are: Edward Rugoff, first vice-president; Sol Strausberg, second vice-president; Russell Downing, treasurer; Malcolm Kingsberg, assistant treasurer.

$20,000 Fee to McConnell

CHICAGO, Oct. 3.—Thomas McConnell, attorney for the Jackson Park Theatre, was awarded $20,000 in fees on Friday by Federal Judge Michael J. Igoe in U. S. District Court here. The fees, which are to be paid by the distributors and theatre circuit defendants, were accrued during the recent contempt hearings here in the Jackson Park case.

Johnston Due Oct. 20

WASHINGTON, Oct. 3. — Eric A. Johnston, president of the Motion Picture Association of America, who left Rome at the weekend for Belgrade, is expected back in New York about Oct. 20. Joyce O'Hara, his assistant, is due here this week. Next on Johnston's itinerary are Spain and France.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; Theatre Sales; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

Companies from Which U. S. Wants 'Big 5' to Withdraw

WASHINGTON, Oct. 3.—Following are the companies partially owned by the Big Five defendants in the Paramount case, from which the Government would have those defendants withdraw within one year after the entry of judgment in the case. An estimated 1,400 theatres are controlled by the 115 companies named.

Paramount would be required to give up its interests in these corporations:

Alabama Theatres, Alger Theatre Corp., Allied Theatres of Bangor, Arkansas Amusements, Birmingham Theatre Operating Co., B and J Theatres, Inc., Buffalo Theatres, Butterfield Michigan Theatres, W. S. Butterfield Theatres, Central States Theatre Corp., Clearwater Enterprises, Darlington Theatres, Dearborn-Randolph, Diana Theatre Corp., Dominion Theatres, Drive-In Theatres of Alabama, Drive-In Theatres of South Carolina, Eaton Amusement Corp. and Elizabethton Theatres, Inc., Essex Amusement Corp., Florence Theatres, Florida Inland Theatres, 423 South Broadway Corp., Fulton Enterprises, Georgia Theatre Co., Greenwood Theatres, Haverhill Operating Corp., Hollywood Amusement Co.

Also: Interstate Circuit, Jefferson Amusement Co., Johnston City Enterprises, M and P Theatre Corp., Massachusetts Operating Co., Menmar Theatre Co., Maine and New Hampshire Theatres Co., Malco Theatres, Newton Amusement Corp., North Carolina Theatres, Oak Park Amusement Co., Paramor Theatre Co., Paramount Hollywood Theatre Corp., Paramount-Richards Theatres, Inc., Penncom Corp., Pennler Theatre Corp., Pennware Theatre Corp., Phoenix Drive-In Theatre, Inc., Publix Bamford Theatres, Inc., Publix Lucas Theatres, Inc., Publix Netoco Theatre Corp., Publix Wheeling Theatre Corp., Rockland Amusement Co., Royal Theatre Co., Straham Theatre Corp., Taunton Operating Co. and Taunton Theatres, Texas Consolidated Theatres, Tivoli Operating Co., Tri-States Theatre Corp., United Artists Theatre Corp., United Theatre Enterprises, Inc., Ute Theatre Co., Wellworth Theatres of Wisconsin, West Suburban Amusement Co., Western Massachusetts Theatres, Inc., and Wilby-Kincey Service Corp.

National Theatres would have to get out of these firms:

Anaheim Theatres, Broadway Theatre Co. of Santa Ana, Carlton-Rivoli Theatre Corp., Cascade Theatres Corp., Fox Salinas Theatres, Fox Western Montana Theatre Corp., Fresno Theatre, Inc., Fullerton Building Co., Gateway Theatre Co., Golden State Theatre Corp., Grauman's Greater Hollywood Theatres, Inc., Muscatine Amusement Co., Pico Theatre Corp., Principal Theatres, Inc., Rubidoux Theatre Corp., Sacramento Theatres, San Luis Obispo Theatre, Inc., Theatres Holding Co., Transbay Theatres, Inc., United West Coast Theatres Corp., Valley Theatres Corp., West Coast-Compton Theatre Corp., West Coast Hollywood Theatres, West Coast-Santa Ana Theatre Corp., and West Coast-Wilmington Co.

Warners would be required to withdraw from:

Atlantic Theatres, Harold Theatre Co., Mount Oliver Theatre Co., The MacArthur Corp., Regent-State Corp., and W. F. Theatre Co.

RKO: B and J Theatres, Inc., Butterfield Michigan Theatres, Eaton Theatre Corp., 423 South Broadway Corp., Gifts, Inc., Greater Huntington Theatre Corp., High Street Theatre Corp., Metropolitan Playhouses, Inc., Number 25 Theatre, Inc., Number 26 Theatre, Inc., Proctor's-Skouras Newark Theatre Corp., Queens Entertainment Corp., Springco Corp., Trenton-New Brunswick Theatres Co.

LOEW'S: Buffalo Theatres, Gates Theatre Corp., Landroll Realty Corp., Lee-Richmond Corp., Macon Amusement Corp., Penn-Federal Enterprises, Inc., Suburban Theatre Corp., and The Toledo Operating Corp.

U.S. Wants

(*Continued from page* 1)

petes with one it already owns, and for an order making all other acquisitions subject to court approval.

For a five-year period, during which the divestiture and divorcement plans are to be carried out, the Government seeks a modified cross-licensing ban. This would prohibit cross-licensing of more than half of the major defendants' films released during any six-month period in some 350 closed towns and towns where Justice claims the "big five" have a first run monopoly.

By December 31, 1948, defendants would have to get rid of theatres owned jointly with another defendant, although one defendant could buy out the other with the courts' approval.

Justice asked for immediate action on the 115 firms owned jointly with actual or would-be independent operators, saying the facts here were clear and there was no need to delay this issue until the long-term divestiture and divorcement plans were drawn up.

'Fruits of Illegal Conduct'

The theatres to be divested later, over and above the 1,400, are those which under the Supreme Court decision must be found to be "the fruits of illegal conduct." Justice said no useful purpose would be served by holding hearings to make findings on this issue and "then holding further hearings as to what may be done about it. Only by consideration of specific divestiture proposals by the Government and the defendants may the issues left open by the Supreme Court be defined and joined."

The brief said that by the use of "discovery procedure" during the one-year period, Justice believed "these theatre divestiture plans could be presented in such form that no factual issue of substance would arise in their presentation."

The Government made no suggestion as to what theatres should be divested, over and above the 1,400 but merely said that the divestiture plans submitted by the companies must be "adequate to satisfy the requirements of the Supreme Court with respect to divestiture."

Could Apply for Suspension

The defendants, under the Governments' proposed order, would have one year in which to submit divestiture and divorcement plans, and five years to carry them out. Any time after three years after final judgment in the case, any defendant could ask the court to suspend its divorcement plan, however, on the ground that the other relief, such as divestiture and the cross-licensing ban, had created "sufficient new competition in distribution and exhibition to eliminate the major defendants' existing domination of these fields."

The Justice Department said that there was no doubt that in sending the case back to the lower court, the Supreme Court had meant divorcement to be considered again, along with divestiture. It declared that in view of the fact that the Supreme Court had thrown out competitive bidding, "these three remedies, a ban on cross-licensing, theatre divestiture, and divorcement, are the only ones available to end the major defendants' illegal dominance of the film industry."

Other portions of the Department's proposed order modified the franchise section so as to prohibit franchises except where made to permit an inde-

(*Continued on page* 4)



UNITED AIR LINES

New Commuter-Ticket Plan

SAVES YOU 15%

United now enables you to obtain a 15% savings by means of a new Commuter-Ticket Plan* which is exempt from the 15% Federal Tax on public transportation.

You can effect this savings by making at least two round trips or four one-way trips within 30 days between the same two of any of the 80 cities on United's Main Line Airway. Tickets are non-transferable, and are issued to individuals only.

Being exempt from the 15% transportation tax, United's Commuter-Ticket Plan is an *additional* economy. This is over and above what you save with United's 5% round trip discount and removal of premium fares.

For example, if you make the equivalent of two round trips monthly between New York and Chicago, you save an *additional* $25.14 . . . between Los Angeles and San Francisco, an *additional* $12.00 . . . between New York and Los Angeles, an *additional* $89.97.

**United is filing this Commuter-Ticket Plan with the Civil Aeronautics Board to become effective, subject to its approval, on October 15, 1948*

Your best dollar buy is when you fly

UNITED AIR LINES

Phone or write United today for additional information.

U. S. Lists Towns in Which It Seeks Ban On Cross-Licensing

WASHINGTON, Oct. 3.—The modified cross-licensing ban, which the Government seeks to have instituted six months after entry of judgment in the Paramount case, would apply to these "closed" towns:

ALABAMA: Anniston, Jasper;
ARIZONA: Globe, Flagstaff, Glendale, Mesa, Prescott, Winslow;
ARKANSAS: Conway, Jonesboro, Paragould, Prescott, Springdale, Stuttgart, Van Buren, Walnut Ridge;
CALIFORNIA: Bell, Burlingame, Chico, Coalinga, Compton, Crockett, Grass Valley, Hayward, Lodi, Martinez, Merced, Monterey, Ocean Park, Oroville, Paso Robles, Pomona, Porterville, Redding, Redlands, Redonda Beach, Redwood City, San Luis Obispo, Santa Cruz, Santa Paula, Tracy, Tulare, Turlock, Van Nuys, Watsonville, Wilmington;
COLORADO: Boulder, Durango, La Junta, Longmont, Montrose, Sterling;
CONNECTICUT: Ansonia, Danbury, South Norwalk;
FLORIDA: Fort, Pierce, Hollywood, Lake Worth, New Smyrna, Ocala, Orlando, Palm Beach, St. Augustine, Sanford, Sarasota, Winter Haven, Winter Park;
GEORGIA: Athens, Brunswick, Gainesville, Moultrie, Waycross;
IDAHO: Caldwell, Preston;
ILLINOIS: Benton, Blue Island, Elgin, Jacksonville, Kankakee, La Grange, Marion, Mount Vernon, Pekin, Waukegan, West Frankfort;
IOWA: Algona, Ames, Boone, Centerville, Charles City, Clear Lake, Clinton, Fort Madison, Grinnell, Mason City, Oelwein, Oskaloosa, Ottumwa;
KANSAS: Coffeyville, Dodge City, Liberal, Pittsburg;
KENTUCKY: Danville, Fulton, Henderson, Owensboro;
MAINE: Augusta, Bath, Biddeford, Brunswick, Houlton, Rockland;
MARYLAND: Frederick, Silver Spring;
MASSACHUSETTS: Allston, Brighton, Clinton, Hyde Park, Roslindale, Waltham;
MICHIGAN: Adrian, Alpena, Ann Arbor, Birmingham, Cadillac, Grand Haven, Greenville, Hancock, Hillsdale, Holland, Ionia, Iron Mountain, Kalamazoo, Ludington, Manistee, Niles, Owosso, Sturgis, Three Rivers, Traverse City, Ypsilanti;
MINNESOTA: Fairmont, Mankato, Rochester, St. Cloud;
MISSISSIPPI: Clarksdale, Greenville, Greenwood, West Point;
MISSOURI: Excelsior Springs, Lexington, Nevada;
MONTANA: Billings, Butte, Helena;
NEBRASKA: Alliance, Columbus, Falls City, Fremont, McCook, Norfolk;
NEVADA: Reno, Sparks;
NEW HAMPSHIRE: Berlin;
NEW JERSEY: Millville, Montclair, Pleasantville, Vineland;
NEW MEXICO: Las Cruces, Las Vegas;
NEW YORK: Medina, Peekskill, Wellsville;
NORTH DAKOTA: Jamestown, Minot;
OHIO: Bellevue, Sidney;
PENNSYLVANIA: Ambler, Butler, Berwick, Bloomsburg, Carbondale, Carlise, Donora, Dormont, Greensburg, Pittston, Pottsville, Punxsutawney, Red Lion, State College, Sunbury, Tarentum, Titusville, Tyrone, Warren, Waynesboro, Wilkinsburg;
SOUTH DAKOTA: Huron, Madison, Watertown;
TENNESSEE: Jackson;
TEXAS: Arlington, Baytown, Beaumont, Bryan, Eastland, Goose Creek, Greenville, Henderson, Jacksonville, Kilgore, Livingston, Lufkin, McAllen, Mercedes, Noakum, Orange, Port Neches, Richmond, Rosenberg, San Marcos;
UTAH: Ogden;
VIRGINIA: Clifton Forge, Lexington;
WASHINGTON: Hoquiam;
WEST VIRGINIA: Martinsburg;
WISCONSIN: Janesville, Port Washington, Stevens Point;
WYOMING: Cheyenne, Laramie, Rock Springs, Sheridan;

The modified cross-licensing ban would also apply to defendants' first-run theatres in these towns where Justice contends one or more of the "big five" have monopolized first-run exhibition:

Population over 100,000: Atlanta, Boston, Bridgeport, Charlotte, Chattanooga, Chicago, Cincinnati, Cleveland, Columbus, Dallas, Des Moines, Detroit, Flint, Fort Worth, Grand Rapids, Hartford, Houston, Kansas City, Mo., Knoxville, Lowell, Mass., Memphis, Milwaukee, Minneapolis, New York City, Newark, New Haven, New Orleans, Omaha, Paterson, N. J., Peoria, Ill., Philadelphia, Rochester, St. Paul, San Antonio, San Francisco, Scranton, Seattle, South Bend, Spokane, Springfield, Mass., Washington, Wichita, Worcester, Mass., and Yonkers.

Population from 25,000 to 100,000:
ALABAMA: Anniston, Montgomery, Tuscaloosa;
ARIZONA: Phoenix, Tucson;
ARKANSAS: Fort Smith, Little Rock;
CALIFORNIA: Alabama, Bakersfield, Belvedere Gardens, Beverly Hills, Fresno, Glendale, Huntington Park, Inglewood, Pasadena, Riverside, San Bernardino, Santa Ana, Santa Barbara;
CONNECTICUT: Bristol, New Britain, New London, Norwalk, Torrington, Waterbury;
FLORIDA: Orlando, West Palm Beach;
GEORGIA: Augusta, Columbus, Macon, Savannah;
ILLINOIS: Alton, Aurora, Bloomington, Danville, Decatur, East St. Louis, Elgin, Galesburg, Joliet, Oak Park, Quincy, Waukeegan;
INDIANA: Hammond, Marion;
IOWA: Burlington, Cedar Rapids, Davenport, Dubuque, Mason City, Ottumwa, Sioux City;
KANSAS: Hutchinson, Topeka;
KENTUCKY: Owensboro;
MAINE: Lewiston;
MASSACHUSETTS: Fitchburg, Newton, Taunton, Waltham;
MICHIGAN: Ann Arbor, Battle Creek, Bay City, Jackson, Kalamazoo, Lansing, Muskegon, Pontiac, Port Huron, Saginaw;
MINNESOTA: Rochester;
MISSOURI: Joplin, Springfield;
MONTANA: Great Falls;
NEW HAMPSHIRE: Concord;
NEW JERSEY: Belleville, Bloomfield, Hackensack, Hoboken, Irvington, Kearny, Montclair, North Bergen, Orange, Union City;
NEW MEXICO: Albuquerque;
NEW YORK: Jamestown, Mount Vernon, Newburgh, New Rochelle, Poughkeepsie, Troy, White Plains;
NORTH CAROLINA: Asheville, Durham, Greensboro, High Point, Raleigh, Rocky Mount, Wilmington, Winston-Salem;
NORTH DAKOTA: Fargo;
OHIO: Hamilton, Mansfield, Middletown, Portsmouth, Springfield;
OREGON: Salem;
PENNSYLVANIA: Aliquippa, Hazleton, Sharon, Upper Darby, Wilkes-Barre, Wilkinsburg;
SOUTH CAROLINA: Columbia, Greenville, Spartanburg;
TENNESSEE: Johnson City;
TEXAS: Abilene, Amarillo, Austin, Beaumont, El Paso, Galveston, Port Arthur, Tyler, Waco, Wichita Falls;
UTAH: Ogden;
VIRGINIA: Danville, Lynchburg;
WASHINGTON: Everett;
WEST VIRGINIA: Parkersburg;
WISCONSIN: Appleton, Eau Claire, Fond du Lac, Kenosha, Madison, Oshkosh, Racine, Sheboygan, Wausau.

U. S. Wants

(*Continued from page 3*)

pendent exhibitor to compete with affiliated theatres and so as to prohibit certain types of "discriminatory licenses." These would bar license terms to affiliated exhibitors or circuits which grant roadshow privileges, allow overage and underage, suspend terms of a contract if a circuit house remains closed for more than eight weeks and reinstating it without liability on reopening, allow large privileges in the selection and elimination of films if double bills are played, grant moveovers and extended runs, grant unlimited playing time, exclude foreign pictures and those of independent producers, grant rights to question the classification of features for rental purposes, or "any similar provisions which discriminate unreasonably between such licensees and their smaller, independent competitors."

Would Bar Stock Voting

The "big five" own anywhere from 10 per cent to 90 per cent of the stock of the 115 companies owned jointly with independents, which Justice is seeking to force them out of immediately. The Justice Department would not allow them to vote any stock in these companies, either, while they are being disposed of.

The new findings submitted by the Justice Department not only designate the companies jointly owned with an independent and the closed towns and towns where the big five have a first-run monoply, but also describe the territorial division of the defendants' theatres and the alleged division of film product among those operating in nominal competition with one another, a more complete statement of the manner in which each major defendant combined its corporations, a description of the "market leverage" which the majors' theatres allegedly give them over independent exhibitors and distributors, and a summary of their new theatre acquisitions since the 1940 consent decree.

New Conclusions of Law

The new conclusions of law are that the eight distributor defendants actually achieved a monopoly of film distribution, that the five major companies actually achieved theatre operating monopolies in specific communities, that each major defendant is a combination of corporations which has illegal power to exclude competitors from access to a substantial segment of the domestic film market, that each combination was created and maintained for this illegal purpose, that each has a continuing illegal power and intent to exclude competitors which should be terminated by divorcement, and that the effects of their past illegal activity may be partially dissipated by the five-year modified cross-licensing ban.

The partial ban on cross-licensing among the majors was needed to give relief while divestiture is being executed, the Department claimed, and an injunction against theatre acquisitions is required to prevent the continued elimination of theatre-operating competition by the exhibitor defendants.

'Hesitates' on Divorcement

The Justice brief said it "hesitated to press the divorcement remedy" on the court again in view of its prior rejection of this relief, but said that the Supreme Court's rejection of competitive bidding required that divorcement be considered again.

It contended that the majors' integration is closely related historically to their illegal conduct, that a necessary consequence of the integration was an absence of competition among them in licensing films and operating theatres, and that each major defendant's position in the first run field supplies a "decisive market leverage against competitors."

Kruse Leaving UWF To Set Up Own Firm

William F. Kruse, United World Films' advertising-publicity vice-president, has resigned to return to Chicago where he will establish his own public relations firm on Nov. 1, it was announced here at the weekend by James M. Franey, UWF president. Krusc had deferred his plans for two years in order to assist in the launching of United World, Franey said.

Aid Jersey Fund Drive

Arranged by Skouras Theatres' community service department, headed by Nick John Matsoukas and Haddon Mathews, a day of festivities including a parade, Hollywood preview at the Skouras State Theatre on Jouurnal Sq., Jersey City, and an all-star show will launch that city's Community Chest Fund drive for $500,000 Wednesday.

Yates Lists 50

(*Continued from page 1*)

wig, while Wayne will produce his second, "Eagles in Exile."

Three "Deluxe" productions to be done in Trucolor are "The Missourians," with William Elliott, Forrest Tucker, Adrian Booth and Andy Devine; "Belle of the Gold Coast," with Rod Cameron, John Carroll and Miss Booth, and "The Vanishing Westerner," with Elliott, Miss Booth and Devine. Also on the "Deluxe" program are: "Crosswinds," "The Sea Eagle," with Cameron and Adele Mara; "Panama Passage," with George Brent and Vera Ralston; "The Golden Horde" and "Faces in the Sun."

Four from Independents

"Belle Starr and the Daltons" is the first of four specials from independent producers, to be produced in Trucolor with Brent, Jane Russell and George Montgomery. Three additional productions are to be announced.

"B" product schedules includes 20 in the "Variety" group. Titles are: "The Hideout," "The Silver Tide," "Streets of San Francisco," "Homicide for Three," "Duke of Chicago," "A Fool's Gold," "Daughter of the Jungle," "Flaming Fury," "Rose of the Yukon," "Post Office Investigator," "New York Police Secrets," "The Tough Girl," "Undertow," "Escape from Alcatraz," "Thunder Over the Sierras," "Lady Robinhood," "Lay That Pistol Down," "Pistol Packin' Mama," "The Marines Take Over," "The Federal Marshall" and "Typhoon."

Four productions in Trucolor, to star Roy Rogers, are titled "The Golden Stallion," "Hills of Oklabama," "Down Dakota Way," and "The Far Frontier."

In addition, eight Roy Rogers subjects will be re-released: "Shine on Harvest Moon," "In Old Caliente," "Frontier Pony Express," "Saga of Death Valley," "Ranger and the Lady," "Colorado," "Robinhood of the Pecos" and "Young Bill Hickok."

The group of six Famous Westerns, to star Allan Lane, are: "Sundown in Santa Fe," "Renegades of Sonora," "Sheriff of Wichita," "Death Valley Gunfighter," "Tucson Trigger Man," and "Navajo Trail Raiders."

Six Westerns in all the All Star group, to star Monte Hale, are: "Fort Dodge Stampede," "Prince of the Plains," "Outcast of Virginia City," "The Las Vegas Kid," "Arizona Badman" and "San Antone Ambush."

Four serials, providing a 52-week chapterplay schedule, are: "Federal Agents vs. Underworld, Inc.," 12 episodes, Clyde Beatty in "King of the Jungleland," a 15-chapter revision of "Darkest Africa," "Ghost of Zorro," and "Pirates of Treasure Island," both 12 episodes.

The four one-reel cartoons in Trucolor which complete the program are being produced by Impossible Pictures; titles are: "Bungle in the Jungle," "Beyond Civilization to Texas," "Romantic Rumbolia," and "The Three Minnies." Frank Nelson, who has been associated with the Jack Benny radio show, is the narrator.

'Fireworks' at NCA

(*Continued from page 1*)

will attend the session with president Ben Berger.

On the agenda will be a discussion of municipal and other tax dangers; status of Ascap; discussion of the Ben Berger-Andy Smith (20th-Fox) conciliation plan; the final decree in the Paramount case; complete divorcement; policies of film companies, and local exhibitor problems.

Firm Grosses: WB

(*Continued from page 1*)

duction, made possible by a backlog numbering 22 pictures, plans for the 1949-50 program will be reviewed and re-appraised, the company disclosed. Over-all employment at the studio will undergo "extensive curtailment temporarily," but the company points out that the same procedure in 1947 enabled the studio to maintain the highest average level of employment in the industry that year.

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

V 64. NO. 67 NEW YORK, U.S.A., TUESDAY, OCTOBER 5, 1948 TEN CENTS

FILE COPY DO NOT REMOVE

Divestiture Up To NY Court Only: Warners

Asks Capital Tribunal Not to Rule in KB Case

WASHINGTON, Oct. 4. — Stanley Co., Warner subsidiary, today told a Washington District Court that only the special New York three-judge District Court could consider cases to force the "Big Five" defendants out of theatres jointly owned with independents.

The Warner contention was advanced in connection with a suit here by the K-B Amusement Co. to force Stanley out of the MacArthur Theatre which they share. The MacArthur was listed in the Justice Department's proposed findings and order in the New York case as one of the firms from which the defendants should withdraw.

Stanley pointed out that there are

(*Continued on page 7*)

Weitman Appoints Benefit Committee

Some 79 in the motion picture and theatrical fields have been named to the producing committee of the 15th annual "Night of Stars," which will be held at Madison Square Garden on Monday evening, Nov. 15, by Robert M. Weitman, managing director of the New York and Brooklyn Paramount theatres, chairman of the com-

(*Continued on page 7*)

Anti-Trust Charges Cite Transamerica

Washington, Oct. 4. — The Federal Reserve Board announced today, after more than two years of investigation, that it would begin public hearings here on Oct. 12 to consider anti-trust charges against Transamerica Corp. of San Francisco, which, under the leadship of Amadeo P. Giannini, controls the Bank of America.

The latter institution, which has 516 branches in seven states and resources of more than $5,000,000 000, is prominently identified with U.S. film production financing. A complaint was filed against Transamerica last June.

Justice Sanctions 15-Day Delay in Para. Suit Hearing

WASHINGTON, Oct. 4.—There'll be at least a 15-day postponement in the Oct. 13 trial date for the further Paramount case proceedings—and maybe more.

Defense attorneys, in a series of interviews with Justice Department officials today, asked for a 30-day postponement in the reopening of the case before the New York special three-judge District Court. Justice said it would agree to a 15-day postponement, but no more.

Defense attorneys can either take the Justice Department's 15 days or ask the Court for the longer delay. There was no indication here tonight which course they would take.

Reversal of Lawson Conviction Sought

WASHINGTON, Oct. 4. — Screen writer John Howard Lawson today asked the U. S. Supreme Court to reverse his conviction for contempt of Congress and to closely circumscribe the investigating powers of the House Un-American Activities Committee.

The move was an unusual one, since his case has not yet been acted on by the Court of Appeals for the District of Columbia, where it went after Law-

(*Continued on page 7*)

20th - Fox Organizes Video Productions

Twentieth Century-Fox has organized as a wholly-owned subsidiary 20th Century-Fox Television Productions, Inc., "to engage in the television business and to produce and market television programs."

UK's Finance Corp. Formally Launched

London, Oct. 4. — Britain's new Film Finance Corporation, which has 5,000,000 pounds ($20,000,000) designated for government financing of independent production here, was formally registered at the weekend as a limited liability company.

Headed by J. H. Lawrie, FFC held its first board meeting today.

N. Y. C. Film Bureau Due After Election

Proposals now before Mayor William O'Dwyer for establishing within the framework of New York City's government a permanent bureau for facilitating film and television production here are expected to be acted upon after the November election, it is indicated by a top-level spokesman for the industry committee which drew up the proposals in cooperation with city film coordinator Edward C. Maguire. Meanwhile, it was said, temporary municipal machinery is operating in behalf of film and video producers to enable them to secure approval to shoot on location here without their becoming "tangled in red tape."

The proposals, it was explained, call for expenditure of funds in order to set up and maintain a permanent operation. Securing of an adequate appropriation before November is considered out of the question.

Location shooting in New York is possible at present within one day after an application is filed with Maguire. Before Maguire's office was established, following conferences with industry representatives, it frequently took several weeks to secure a permit.

AAA Without a New Film Case in Past 4 Months

With eyes turned toward the forthcoming new trial of the industry anti-trust suit in U. S. District Court here, exhibitors with clearance and other operating problems have completely by-passed arbitration during the past four months in seeking settlements. It has been that long since the American Arbitration Association last received an exhibitor complaint. During the period, however, clearance complaints have figured in a number of new court actions in various sections of the country.

AAA officials here view the dearth of filings as reflecting exhibitors' "wait and see" attitude regarding arbitration's future in the solving of exhibitor-distributor disputes. The U. S. Supreme Court, when it ruled in the industry anti-trust suit, left it up to the District Court to determine if arbitration shall have a future role in such disputes.

Rank's Odeon Has Profit of $4,776,928

1st Consolidated Report; $54,359,432 Film Loans

LONDON, Oct. 4.—Odeon Theatres, Ltd., parent company of the J. Arthur Rank organization, today reported net profit of $4,776,928 for the year ended June 26, 1948. The result compares with a net profit of $4,549,028 for the previous fiscal year.

A final Odeon dividend of 10 per cent was authorized, making a total of 17½ per cent for the year, tax free, and equaling the 1947 dividend.

While Odeon's first consolidated balance sheet showed that its own earnings were being maintained, a breakdown of the operations of its numerous subsidiaries revealed a disturbing drop in Gaumont British income and profits. For the 65 weeks

(*Continued on page 7*)

Industry Promotion Clicks in Oklahoma

Morris Loewenstein, who heads the Theatre Owners of Oklahoma, said here at the weekend that the industry's public relations efforts are producing worthwhile results in his state. Disfavor of the industry among Oklahomans has been overcome to a considerable degree, Loewenstein reported, adding that further advances

(*Continued on page 2*)

British Equipment Gaining in Canada

Ottawa, Oct. 4. — Canada's U. S. dollar-saving program will likely leave some permanent effects on the motion picture market of this country. It is now reported that Canadian and British theatre equipment is being ordered for new Canadian theatres in a larger proportion than ever before. U. S. manufacturers have always supplied most of the equipment to theatres in the Dominion.

This is part of the over-all scheme to conserve U. S. dollars and it applies not only to small houses but also to new major theatres under consideration or construction.

Browne, Bioff Testify In Extortion Case

CHICAGO, Oct. 4.—The Guzik-Ricca-Capone syndicate's $1,800,000 film industry shakedown of several years ago came to light again when the Government called George Browne and Willie Bioff, now both on parole, as witnesses to testify in U. S. Customs Court in the $550,567 income tax evasion trial against the estate of Frank Nitti.

Nitti, the late treasurer of the syndicate, shot himself to death in March, 1943, when he was indicted with other syndicate leaders for the extortion. Both witnesses reviewed in court how they extorted sums of money from 1934 to 1940 from Balaban and Katz, Essaness Theatres and major distributors.

Threaten 'Action' to Aid SPG, SOPEG

Formation of local citizen committees "to take direct action against neighborhood and downtown theatres" is threatened by the film division of the New York Council of Arts, Sciences and Professions, in giving its support to the Screen Publicists Guild and the Screen Office and Professional Employes Guild. The Council announces that it plans the action as a consequence of the film companies' refusal to negotiate new contracts with the two unions because their officers have not filed non-Communist affidavits.

Johnston, Tito Meet; Former Seeks Pact

Eric A. Johnston, Motion Picture Association of America president, met yesterday with Marshal Tito of Yugoslavia, according to press dispatches reaching here last night from Belgrade.

Johnston, the report stated, is seeking an agreement for the showing of U. S. films in Yugoslavia.

W.B. Promotes Atkin To Post in Albany

ALBANY, N. Y., Oct. 4. — Gerald L. Atkin, associated with Warners as assistant in the advertising department for the past seven years, has been named advertising-publicity director for Warner Theatres in the Albany zone.

Harker Joins Warners

HOLLYWOOD, Oct. 4. — Milton Harker, formerly head of International News Service's Los Angeles bureau, has joined the Warner studio publicity staff. He is the brother of Marjorie Harker, March of Time publicist in New York.

Chicago Rejects "He"

CHICAGO, Oct. 4.—The Chicago police censor board's report for September classifies "Cry of the City" (20th-Fox) and "Night of Love" (Teitel) for adults only, and one film, entitled "He" (Jewell), was rejected. Out of 111 pictures reviewed, the board made 19 cuts.

Personal Mention

MARTIN LEWIS, director of radio publicity at the Paramount studio, is in New York from the Coast.

•

ARTHUR DAVIS, president of Arthur Davis Associates, advertising display counselors, has become publisher and editor-in-chief of *The Foreign Film News* here.

•

GEORGE FRASER, head of Eagle-Lion's home office writer's department, is recovering at Beth David Hospital here from a sudden illness. He is expected back at his desk in a month.

•

C. J. FELDMAN, Universal-International Western division sales manager, is touring the company's West Coast exchanges this week.

•

H. M. RICHEY, M-G-M exhibitor relations head, has returned to New York from Chicago, St. Louis and Kansas City.

•

LOUIS NIZER, industry attorney, will serve as Greater New York chairman for the 1949 March of Dimes.

RUSSELL V. DOWNING, executive vice-president of Radio City Music Hall, is back in New York from a California vacation.

•

EDWARD CHEYFITZ, assistant to Motion Picture Association president Eric Johnston, will address an economics seminar at Harvard tomorrow on "Hollywood Labor." CHEYFITZ's book on bargaining is used as a text in the seminar.

•

BETTY KRONE, secretary to RUBE JACKTER, assistant general sales manager for Columbia, will return to her office tomorrow from a wedding trip. She and BERNARD UNGER were married on Sept. 19.

•

LEO PILLOT, formerly of Columbia's special events department, now personal manager for SID CESAR, and HELEN DORFMAN are to be married next Sunday.

•

PHIL LEVENE, booker for William Brandt Theatres, and MRS. LEVINE are parents of a girl, MADELINE CHRISTINE.

Air Discussion on Video-Film Relation

Television's effects on motion pictures will be discussed on "America's Town Meeting of the Air," over the American Broadcasting networks on Oct. 12, with speakers to include Mark Woods, president of the network; James H. Carmine, executive vice-president of Philco; Rouben Mamoulian, stage and screen director, and Walter Abel, actor and chairman of the television committee of the Screen Actors' Guild. George V. Denny, Jr., will be moderator.

Children's Libraries Planned in Canada

TORONTO, Oct. 4. — Canadian Motion Picture Distributors Association is sponsoring the establishment of children's film libraries at Toronto, Winnipeg and Vancouver similar to the units organized in the U. S. by the Motion Picture Association of America. Preliminary work for setting up the libraries here was performed by Marjorie Dawson of the New York MPAA office.

Gundelfinger to London

HOLLYWOOD, Oct. 4. — Allan M. Gundelfinger, Cinecolor vice-president, will fly to London Oct. 9 to survey possibilities for setting up a Cinecolor laboratory in England. The survey is prompted by an increasing number of inquiries from British producers regarding availability of the Cinecolor process, he explained.

Kelly Due Oct. 15

Arthur W. Kelly, executive vice-president of United Artists, is expected back in New York about Oct. 15 following a two-month tour of England and the Continent.

Two Films Rated 'B' As Legion Reviews 9

M-G-M's "No Minor Vices" and Monogram's "Winner Take All" have been given "B" ratings by the National Legion of Decency this week in its classification of nine pictures. Classified A-I were Republic's "Night Time in Nevada," Monogram's "Sheriff of Medicine Bow," Columbia's "I Surrender Dear," and Bell Pictures' "Girl of the Canal." Rated A-II were: J. Arthur Rank-Universal-International's "Corridor of Mirrors," Warner's "Johnny Belinda," and Republic's "Out of the Storm."

ABC Buys Vitagraph Studio for Video

American Broadcasting Co. has purchased Warner's 20-acre Vitagraph studio in Hollywood and has immediate plans for renovation and remodeling of the property which will be used as the network's West Coast television center, according to Robert E. Kinter, ABC vice-president. The properties include two sound stages, 13 film vaults, work shops and office bungalows. Warners will continue use of the vaults for eight months after which they will be turned over to ABC.

Jules Laine, 51

TORONTO, Oct. 4.—Jules Laine, 51, died from a heart attack at his home here. He was identified with the formation of Columbia Pictures of Canada, and was the owner of several theatres in Montreal until their sale to Odeon Theatres. . Survivors are the widow and one son.

Hollis, DeVry Pioneer

CHICAGO, Oct. 4.—A. P. Hollis, former film and educational director of DeVry, died at Kenosha, Wis., after a long illness.

F. N. Polangin Heads Buchanan on Coast

Frederick N. Polangin has been named West Coast director of the motion picture operations of Buchanan and Co., announces John Hertz, Jr., board chairman of the advertising agency. He succeeds Paul Radin, who assumes the post of vice-president of the advertising firm of William Kester and Co. Rudin has been in charge of the Hollywood office of Buchanan for the past two and one-half years, having been with the company since 1938.

Polangin resigned recently as Eastern advertising and publicity director of Enterprise Studios. With his appointment, Buchanan will expand its services to its motion picture clients and liaison between the New York and Hollywood offices.

Industry Promotion

(*Continued from page* 1)

in that regard are easily foreseeable. He credited "better Hollywood product" with having made a pronounced contribution to the public relations efforts.

Loewenstein, who is also secretary of the Theatre Owners of America, is en route back to Oklahoma City.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
GARY COOPER • ANN SHERIDAN
in LEO McCAREY'S
GOOD SAM"
A Rainbow Productions, Inc. Picture
Released by RKO Radio Pictures
SPECTACULAR STAGE PRESENTATION

Barbara Stanwyck
Burt Lancaster
in
"SORRY, WRONG NUMBER"
A Paramount Release
In Person CARMEN CAVALLARO and His Orchestra plus THE MARTIN BROTHERS JACK E. LEONARD
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

James Nasser Presents
FRED MacMURRAY
MADELEINE CARROLL
"AN INNOCENT AFFAIR"
Released thru United Artists
or is it?
RIVOLI B'way & 49th St.
Doors Open 9:30 A. M.

HOWARD HAWKS'
RED RIVER
CAPITOL B'way & 51st St.
— In Person —
TONY & SALLY DeMARCO
BUCK & BUBBLES
NAT BRANDWYNNE and his Orch.
ROSE MARIE

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; Theatre Sales; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.


IT'S U-I FOR THE BEST BUY!
THAT'S WHY THE GOOD WORD IS...
RIDE HIGH WITH U-I!
WATCH FOR U-I'S UNITY DRIVE . . . BIG THINGS COOKING!

Universal-International presents

DONALD O'CONNOR

—•—

MA 'n PA KETTLE OF "THE EGG AND I"

MARJORIE MAIN

PERCY KILBRIDE

Together Again!

'Feudin' Fussin' and A-Fightin'

with

PENNY EDWARDS

JOE BESSER

Screenplay by D. D. BEAUCHAMP

from his Collier's Magazine Story

Directed by GEORGE SHERMAN

Produced by LEONARD GOLDSTEIN

UNIVERSAL-INTERNATIONAL presents

BUD ABBOTT & LOU COSTELLO

meet

FRANKENSTEIN

WITH

The Wolfman played by LON CHANEY · Dracula played by BELA LUGOSI · The Monster played by GLENN STRANGE

LENORE AUBERT · JANE RANDOLPH

Original Screenplay by ROBERT LEES • FREDERIC I. RINALDO • JOHN GRANT

Directed by CHARLES T. BARTON • Produced by ROBERT ARTHUR

WALTER WANGER presents

TAP ROOTS

Color by Technicolor

Starring

VAN HEFLIN · SUSAN HAYWARD

with BORIS KARLOFF JULIE LONDON · WARD BOND · RICHARD LONG

And Introducing WHITFIELD CONNOR Directed by GEORGE MARSHALL

from the Novel by JAMES STREET

Screenplay by Alan LeMay • Additional Dialogue by Lionel Wiggam

Produced by Walter Wanger Pictures, Inc. • A GEORGE MARSHALL Production

A Universal-International Release

NOW RIDING HIGH EVERYWHERE

Universal-International presents

JOHN PAYNE · JOAN CAULFIELD · DAN DURYEA and SHELLEY WINTERS

"LARCENY"

with DOROTHY HART · Patricia Alphin

Play by Herbert F. Margolis · Louis Morheim and William Bowers · from a Novel "The Velvet Fleece" by Lois Ryan and John Fleming · Directed by GEORGE SHERMAN · Produced by LEONARD GOLDSTEIN

Universal-International presents

ROBERT WALKER · AVA GARDNER · DICK HAYMES

"ONE TOUCH of VENUS"

with EVE ARDEN · OLGA SAN JUAN · TOM CONWAY

Screenplay by Horry Kurnitz and Fronk Toshlin · Based on the Musicol Ploy · Music by Kurt Weill · Book by S. J. Perelmon and Ogden Nosh · Lyrics by Ogden Nosh · Suggested by the Novel, "The Tinted Venus" · Directed by WILLIAM A. SEITER · Produced by LESTER COWAN

Universal-International presents

DEANNA DURBIN
EDMOND O'BRIEN
DON TAYLOR
JEFFREY LYNN in

"FOR THE LOVE OF MARY"

with
RAY COLLINS
HUGO HAAS
HARRY DAVENPORT

Original screenplay by Oscar Brodney
Produced by ROBERT ARTHUR
Directed by FREDERICK DE CORDOVA

AND GETTING AWAY BIG FOR BIG NEWS OF THE MOMENT!

Universal-International presents

ROBERT MONTGOMERY
SUSAN HAYWARD
JOHN PAYNE
AUDREY TOTTER
in

"THE SAXON CHARM"

with HARRY VON ZELL · HEATHER ANGEL

Screenplay by Cloude Binyon · From the Navel by Frederic Wakemon
Produced by JOSEPH SISTROM · Directed by CLAUDE BINYON

Universal-International presents

DICK POWELL
MARTA TOREN
VINCENT PRICE

"ROGUES' REGIMENT"

with Stephen McNally Carol Thurston Edgar Barrier

Screenplay by Robert Buckner
Original Story by Robert Buckner and Robert Florey
A ROBERT BUCKNER PRODUCTION
Directed by ROBERT FLOREY

Universal-International presents

JOAN FONTAINE
BURT LANCASTER

"KISS THE BLOOD OFF MY HANDS"

co-starring ROBERT NEWTON

enplay by Leonordo Bercovici · Adoptotion by Ben Maddow and Wolter Bernstein
Additional Diologue by Hugh Groy · Bosed on the novel by Gerold Butler
Produced by RICHARD VERNON · Associate Producer Normon Deming
Directed by NORMAN FOSTER · A HAROLD HECHT-NORMA PRODUCTION

AND COMING UP IN NOVEMBER


KEEP YOUR EYE ON U-I!
This is only the beginning of U-I's big parade of hits for 1948-1949
Universal International

Rank's Profit

(*Continued from page* 1)

ended June 26, G-B showed a profit of $3,848,800, compared with a $4,539,272 profit for the 52 weeks ended March 31, 1947.

G-B's 1948 dividend was 7½ per cent, against 12½ per cent in 1947.

Noteworthy in the balance sheet are liabilities totaling $54,359,432 representing bank loans and overdrafts covering temporary financing for production.

In this connection, perhaps anticipating adverse criticism, Rank said: "We recognize the important part that temporary bank advances play in film production finance but we are mindful of the desirability as soon as possible of rearranging our finance on a longer term basis."

Consolidated Assets

The parent company's consolidated assets show a total book value of $267,239,196, including freehold property, etc., carried at $157,630,576; goodwill and patent rights, $29,564,968; trade investments, mainly in overseas theatres, $14,975,448, and film productions and rights, $4,972,440.

Principal liabilities in addition to the production bank loans and overdrafts of a temporary nature, include: capital stock outstanding, capital reserves and stock held by outside stockholders, $95,652,408; mortgages, permanent loans, etc., $75,696,160.

Reports of subsidiaries showed the following results:

Odeon Properties, Ltd.: Net profit of $3,145,736 for the year ended June 26, 1948, compared with net profit of $306,564 in the previous year;

Odeon Associated Theatres: $2,134,804 profit, against $1,117,652 profit;

British Dominions Films: Net profit of $1,902,344 for the year ended April 30, 1948, compared with a profit of $1,264,352 in the previous year, with a dividend of 12½ per cent, less tax, against 6½ per cent in the previous six months.

In view of the criticism last year following acquisition of the privately-owned General Cinema Finance Corp. by the publicly-owned Odeon, Rank, though not required by law to do so, also issued the GCF accounts.

They show that he values released films, less amounts already recovered, at $19,216,760, claiming this sum ultimately will be realized when exhibition of the films has been concluded.

This doubtless will evoke criticism in the financial section but Rank again anticipates this and declares he is now devising a new valuation system.

Rank states under this head the group made a profit of $88,608 which, after charging taxes, became a loss of $104,260. Nevertheless, a dividend from a subsidiary enabled $359,652 to be carried forward.

"Bearing in mind the difficult year through which the industry has passed, I consider these results satisfactory," Rank said.

An auditor's note to GCF's accounts shows the dividend unpaid since March, 1943, with arrears now amounting to $1,709,400.

Rank claims he has adopted a consolidation policy, cutting wasteful and unnecessary expenditures and is doing all possible to simplify and strengthen the group's financial structure.

He does not intend to embark on any new ventures nor to increase dividends over the 1947 figures.

Admitting criticism had been received from independent exhibitors, he said he hopes to improve relationships with them. He claims to have made progress in reducing production costs without sacrificing quality.

"We will not embark on production of films from which we cannot foresee from past experience a reasonable opportunity to recover costs in this market and such overseas markets as are available now," Rank said.

Divestiture

(*Continued from page* 1)

some 1,300 similar cases, and that "if there is to be proper and uniform enforcement of the anti-trust laws and of the decree, without severe injury or penalty to any of the defendants," all of these cases should be handled under the same standards.

K-B has asked for summary judgment in the case, while Stanley has countered with a motion to dismiss. Both motions will be argued here next Monday.

Warner raised another apparently significant point in the brief, which it indicated it might raise again in the New York proceedings later this month.

It pointed out that under the agreement, the MacArthur Corp. leases the theatre to K-B and Warner on a rental basis, with power of ultimate reversion after 33 years. "Under the Supreme Court's opinion," Warner asks, "is it necessary or appropriate in the interests of the proper enforcement of the general anti-trust problems before the three-judge court, to direct this defendant to dispose of its interest in the case of rentals and the reversion as well as its interests in the lease and operating agreement, or will divorcement of the leasehold and the operating arrangement be sufficient compliance by the defendant? Did the Supreme Court have reference to real estate or to theatre operation? This particular problem was not presented to the Supreme Court. . . . The defendant wishes to be in the position of urging in the District court, at the hearings to begin Oct. 13, that if the situation requires the severance of the joint lease interests and operating agreement, the defendant still should not be required to dispose of its financial interest in the reversion."

Weitman Appoints

(*Continued from page* 1)

mittee. Proceeds of the show will go to the United Jewish Appeal of Greater New York.

Honorary chairmen include: Barney Balaban, Nate J. Blumberg, Jack Cohn and Albert Warner. Co-chairmen with Weitman are Marvin H. Schenck, Louis K. Sidney, Ed Sullivan and Arthur Knorr.

Members of the committee include: Don Albert, Harry Anger, Milton Berger, Maurice Bergman, F. William Boettcher, Ben A. Boyar, Paul Bracco, Leo Cohen, Alan Corelli, Russell V. Downing, John Dugan.



Announcing...deluxe all-sleeper service

NEW YORK to PARIS

every Friday 4 P. M. EST

Fly on world-proved TWA Constellations. Cocktails, champagne, vintage wines. Filet mignon dinner. Bed-size berths! Hot breakfast! Call TWA or your travel agent.

The only Coast-to-Coast Constellations

TWA

TRANS WORLD AIRLINE

U.S.A. • EUROPE • AFRICA • ASIA

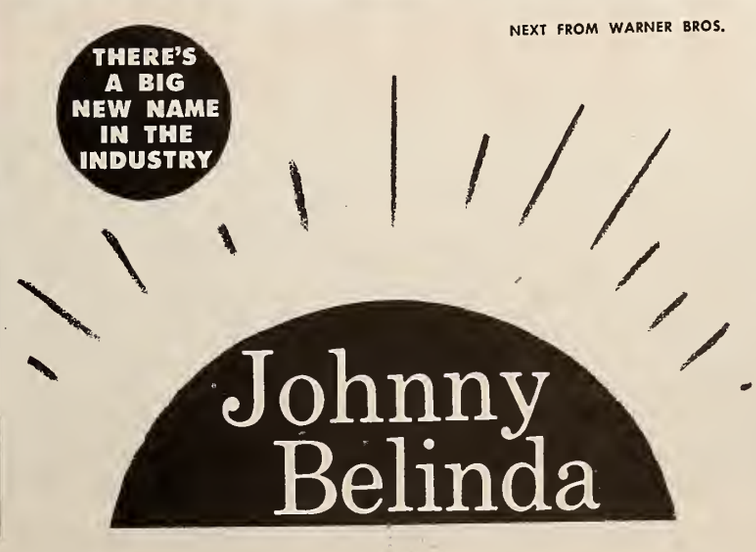
MITCHELL MAY, Jr. CO., INC.

INSURANCE

•

Specializing in requirements of the Motion Picture Industry

75 Maiden Lane, New York
510 W. 6th St., Los Angeles



STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., REQUIRED BY THE ACT OF CONGRESS OF AUGUST 24, 1912, AND AS AMENDED BY THE ACTS OF MARCH 3, 1933, AND JULY 2, 1946,

Of Motion Picture Daily, published daily (except Saturdays, Sundays and holidays), at New York, New York, for October 1, 1948.

State of New York } ss.:
County of New York }

Before me, a Notary Public, in and for the State and county aforesaid, personally appeared Theo. J. Sullivan, who, having been duly sworn according to law, deposes and says that he is the Business Manager of the Motion Picture Daily and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management (and if a daily, weekly, semi-weekly, or tri-weekly newspaper, the circulation), etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912, as amended by the Acts of March 3, 1933, and July 2, 1946, embodied in section 537, Postal Laws and Regulations, printed on the reverse of this form, to wit:

1. That the names and addresses of the publisher, editor, managing editor, and business managers are: Publisher, and Editor-in-Chief, Martin Quigley, 1270 Sixth Avenue, New York City; Editor, Sherwin Kane, 1270 Sixth Avenue, New York City; Managing Editor, Sherwin Kane, 1270 Sixth Avenue, New York City; Business Manager, Theo. J. Sullivan, 1270 Sixth Avenue, New York City.

2. That the owner is: (if owned by a corporation, its name and address must be stated and also immediately thereunder the names and addresses of stockholders owning or holding one per cent or more of total amount of stock. If not owned by a corporation, the names and addresses of the individual owners must be given. If owned by a firm, company, or other unincorporated concern, its name and address, as well as those of each individual member, must be given.): Quigley Publishing Company, Inc., 1270 Sixth Avenue, New York City; Martin J. Quigley, 1270 Sixth Avenue, New York City; Gertrude S. Quigley, 1270 Sixth Avenue, New York City; Martin S. Quigley, 1270 Sixth Avenue, New York City.

3. That the known bondholders, mortgagees, and other security holders owning or holding 1 per cent or more of the total amount of bonds, mortgages, or other securities are: (If there are none, so state.) None.

4. That the two paragraphs next above, giving the names of the owners, stockholders, and security holders, if any, contain not only the list of stockholders and security holders as they appear upon the books of the company but also, in cases where the stockholder or security holder appears upon the books of the company as trustee or in any other fiduciary relation, the name of the person or corporation for whom such trustee is acting, is given; also that the said two paragraphs contain statements embracing affiants' full knowledge and belief as to the circumstances and conditions under which stockholders and security holders who do not appear upon the books of the company as trustees, hold stock and securities in a capacity other than that of a bona fide owner; and this affiant has no reason to believe that any other person, association, or corporation has any interest, direct or indirect in the said stock, bonds, or other securities than as so stated by him.

5. That the average number of copies of each issue of this publication sold or distributed through the mails or otherwise, to paid subscribers during the twelve months preceding the date shown above is 5,178. (This information is required from daily, weekly, semi-weekly and tri-weekly newspapers only).

(Signed) Theo. J. Sullivan,
Business Manager

Sworn to and subscribed before me this 24th day of September, 1948.

(seal) Rose W. Hornstein.

(My commission expires March 30, 1949).

Lawson Reversal

(*Continued from page* 1)

son's conviction in District Court here. Lawson's attorneys said they were taking the step because the case involved so many basic constitutional questions. In all probability, however, the high court will not take the case until there has been a Circuit Court ruling—and may not take it even then. The petition said that a similar case involving Dalton Trumbo would be appealed if the high court agreed to hear the Lawson case.

UNITED ARTISTS ANNOUNCES THE EXPLOITATION SCOOP OF THE YEAR!

Ready for Release OCT. 22nd

"The Plot to Kill Roosevelt"

Revealed for the first time!
NOT A DOCUMENTARY! IT'S FICTION BASED ON FACT!

FROM A STORY CIRCULATED BEHIND CLOSED DOORS FROM DOWNING STREET TO THE KREMLIN!



Sensational Accessory Line NOW Available at Your National Screen Exchange!

A Selected Films, Inc. presentation • Directed by WILLIAM FRESHMAN • Released thru UNITED ARTISTS

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64. NO. 68 NEW YORK, U.S.A., WEDNESDAY, OCTOBER 6, 1948 TEN CENTS

MR. JOYCE O'HARA,
MOTION PICTURE ASSOC. OF AMERICA,
28 WEST 44TH ST., 21ST FL
NEW YORK, N. Y.

FILE COPY DO NOT REMOVE

30 Features From 'U' in '48-'49: Scully

Increase of Six Over Its Original Schedule

SAN FRANCISCO, Oct. 5.—After a study of current exhibition conditions Universal has concluded that the present market can absorb 30 of its feature releases during 1948-49, William A. Scully, "U" sales vice-president, announced as the company's sales representatives gathered for their fourth and final regional sales meeting at the Fairmont Hotel here Thursday and Friday. "U" had originally slated 24 features for the new season.

Universal will also release 61 short subjects and 104 issues of its newsreel.

Ten of the 30 features already are completed, Scully said. They are: "Kiss the Blood Off My Hands," Harold Hecht-Norma production,

(*Continued on page 5*)

N. Y. 1st-Run Grosses Rise

Sparked by the arrival of several new films, business at New York first-runs is fairly strong this week in spite of adverse weather conditions. Rain last Friday and yesterday kept many would-be patrons at home, according to theatremen here, who also cited as keen competition the radio and television accounts of the end of the baseball season.

"Johnny Belinda," "Cry of the City," "Red River" and "Hamlet" are the week's big money-makers.

"Belinda," with Freddy Martin on

(*Continued on page 5*)

Composers Bid for Voice in Ascap Suit

Composer members of the American Society of Composers, Authors and Publishers, acting independently, will seek to be heard as intervenors in the New York case against the Society in an effort to protect their copyright interests and revenue for performing rights, it is understood.

The song writers will serve notice of their motion to intervene in the New York Federal Court today, concurrent with the hearing before Judge

(*Continued on page 4*)

Rank's Organization Seen Facing Vital Test Next Year

By PETER BURNUP

LONDON, Oct. 5.—The general impression following publication yesterday of the first consolidated balance sheet of J. Arthur Rank's parent company, Odeon Theatres, Ltd., is that the next year will be a vital testing time for Rank's prestige and the stability of his gargantuan organization.

Newspaper and financial district commentators commend Rank's frankness in ostensibly putting all of his cards on the table. Also, they view his unchallenged reputation for probity, coupled with his financial shrewdness, as enabling him to ride out any pending storm.

Nevertheless, comment is made in all quarters that the consolidated ac-

(*Continued on page 4*)

CEA Fights for 835 Denied Quota Relief

LONDON, Oct. 5.—W. R. Fuller, general secretary of the Cinematograph Exhibitors Association, is preparing to demand re-examination by the Board of Trade of the 835 theatre cases which were denied relief from the new 45 per cent film quota law, which went into effect last Friday.

Fuller is collecting volumes of evidence dealing with each of the cases

(*Continued on page 4*)

US REJECTS FIRST DECREE PROPOSAL

Terms Not Disclosed, But Gov't Indicates Initial Proposal Is 'Inadequate'

WASHINGTON, Oct. 5.—Prospects of a consent decree settlement of the Paramount case appear to have taken a turn for the worse, with Justice Department officials turning down as "inadequate" various proposals outlined yesterday by defense attorneys.

The proposals were discussed—though never formally submitted as a proposed decree—at a lengthy conference yesterday between Assistant Attorney General Herbert Bergson, in charge of the anti-trust division, and a defense legal delegation headed by 20th Century-Fox counsel James F. Byrnes. Although there had been discussion over the possibility of a decree, this is the first time proposals have been brought to the Department.

"They didn't come up with as much as we required," one top-ranking Justice Department official said. "It cer-

(*Continued on page 4*)

Rank, CEA in Trading Deal

LONDON, Oct. 5.—Following a three-hour meeting here today between J. Arthur Rank and Rank Organization executive John W. Davis on the one hand and a 10-man delegation from the Cinematograph Exhibitors Association on the other, an agreement "in principle" was reached on new trading terms.

W. R. Fuller, CEA executive secretary, has begun drafting what has

(*Continued on page 4*)

756 Drive-ins in the US, MPAA Reports

There are now 756 drive-in theatres in the United States, according to the first survey of open-air theatres made by the Motion Picture Association of America, it was announced here yesterday by Robert W. Chambers, director of the association's research department.

The theatres can accommodate 313,378 automobiles. Of the 756 theatres,

(*Continued on page 5*)

UA To Handle Video Films

United Artists has established a television sales department which will provide releasing and sales service to producers of television film programs, Paul N. Lazarus, Jr., executive assistant to Gradwell Sears, U. A. president, said yesterday.

The new department will use the facilities of U. A.'s branch and sales set-up, including 33 exchanges in the U. S. and Canada. "The sales organization, division, district, exchange and field representatives, have been

(*Continued on page 4*)

Income of 8 Companies In 1946 Up $116,000,000

WASHINGTON, Oct. 5.—Eight film companies had sales of $952,885,000 in 1946, compared with $836,326,000 in 1945, an increase of more than $116,000,000, according to a highly belated report of the U. S. Securities and Exchange Commission. The eight firms are Columbia, Loew, Monogram, Paramount, RKO, 20th Century-Fox, Universal, Walt Disney Productions and Warner. Republic gave figures for a 48-week period in 1946, but no figures for 1945, and was not included in the industry totals for either year.

The eight firms had an operating profit of $206,911,000 in 1946, or 21.7 per cent of sales, compared to $161,735,000 or 19.3 per cent in 1945. Net profit after taxes in 1946 was $119,984,000, or 23 per cent of net worth and 12.6 per cent of net sales, compared to $63,389,000, or 13 per cent

(*Continued on page 2*)

Ascap Slates Appeal Of Nordbye Decision

Minneapolis, Oct. 5.—Ascap will appeal from Federal Judge Gunnar Nordbye's decision denying an injunction and damages to the Society for alleged violation of the Federal Copyright Act in the so-called Berger-Jensen case, it was disclosed here today by Thomas Vennum, Minneapolis Ascap counsel.

Hearing set for next Monday in District Court here for submission of findings of fact is expected to be postponed in preparation for the appeal, in the opinion of Vennum.

SAG Bd. Backs Unity On Video Jurisdiction

HOLLYWOOD, Oct. 5.—Screen Actors Guild board has unanimously approved a plan for administering American Federation of Labor union jurisdiction over acting work in television, whether live or on film. The plan, which is contingent upon the merger of Actors Equity, the American Federation of Radio Artists, American Guild of Musical Artists and Equity Chorus, with American Guild of Variety Artists to join when it is ready, would become operative

(*Continued on page 2*)

Personal Mention

JOSEPH BERNHARD, Film Classics-Cinecolor president, has returned to New York from the Coast.

•

WILLIAM T. ORR, Warner studio executive, and MRS. ORR have become parents of a daughter, born last Thursday. MRS. ORR is the daughter of MRS. JACK L. WARNER.

•

FAYETTE W. ALLPORT, Motion Picture Association of America European representative, has returned to his London headquarters from a vacation on the French Riviera.

•

J. M. WATERS, controller for Waters Theatre, Birmingham, Ala., and MRS. WATERS have returned to that city from a vacation in Florida.

•

FRANK CAPRA, Paramount producer-director, has returned to Hollywood from the East following visits in Boston and New York.

•

MORT BLUMENSTOCK, Warner advertising-publicity vice-president, will leave Hollywood today for New York.

•

HENRY LORD of the Strand Theatre, Hartford, has returned to that city from a vacation in Canada.

•

FRED QUIMBY, M-G-M short subjects producer, has arrived in New York from the Coast.

•

NAT LIEBESKIND, International distributor, has returned to New York from South America.

•

F. A. BATEMAN, Screen Guild Productions general sales manager, is here from the Coast.

•

FLOYD FITZSIMMONS, M-G-M Albany, N. Y., exploiteer, is vacationing upstate.

•

LOUIS B. MAYER is in New York from Hollywood.

SAG Bd. on Video

(*Continued from page* 1)

when a partnership agreement is signed between the merged unions and SAG.

The pact would vest in this partnership full jurisdiction over all performers, except musicians, involved in video, and all collective bargaining contracts would be subject to the approval of both partners.

Gross of 8 Increases

(*Continued from page* 1)

and 7.6 per cent, respectively, in 1945.

Outlay on sales, general and administrative expenses by the eight was $237,119,000 in 1946, or 24.9 per cent of total sales. In 1945, it was $209,610,000, or 25.1 per cent. In 1946, they paid $51,530,000 in dividends, compared with $23,579,000 in the previous year.

UA-'IA' Vote Result Challenged at NLRB

Validity of the Sept. 28 "white collarite" shop election at United Artists home office has been challenged by a UA employee who previously was held by the National Labor Relations Board here to be representing the Screen Office and Professional Employes Guild (CIO) in pre-election controversies.

The election resulted in a decisive victory for IATSE's Motion Picture Home Office Employes Local No. H-63 (AFL), which had been SOPEG's jurisdictional rival at UA for three months. SOPEG was denied a place on the ballot because its officers did not comply with the non-Communist affidavit provisions of the Taft-Hartley Law.

The employee, Cecilia Schuman, has filed an appeal with the NLRB, asking that H-63 go uncertified as the UA "collarites" bargaining agent on the allegation that the company "assisted" that union. H-63 attorney Harold Spivak, who yesterday received notification of the appeal, termed it a "reiteration of charges already disposed of adversely by NLRB."

NLRB Gets H-63 Bid for Republic Shop Election

Harold Spivak, attorney for IATSE Motion Picture Home Office Employes Local No. H-63, yesterday filed with the National Labor Relations Board here a petition for a shop election at Republic's home office. H-63 claims that an "overwhelming majority" of Republic's "white collarites" has withdrawn from Screen Office and Professional Employes Guild and has asked for H-63 representation.

'306' Operators Set 35th Celebration

IATSE's operators local No. 306 will celebrate its 35th anniversary with a dinner-dance at the Hotel Astor here on Oct. 24. Proceeds will go to the local's fund for the sick and distressed.

The hotel lobby will feature a display of projectors from the early days to date. The dinner committee is headed by Harry Storin.

N. Y. Booker's Club Dinner on Oct. 17

The Motion Picture Bookers Club of New York will hold its ninth anniversary dinner-dance at the Hotel Commodore here on Oct. 17. The function will be informal and the proceeds devoted to charity within the industry.

Promotes Extra Revenue

Metro-Goldwyn-Mayer is internationally distributing a working manual entitled "Promoting Extra Revenue Through Special Children's Shows," prepared under the supervision of David Blum, director of advertising-publicity of Loew's International.

Taft Sees 'Possible' Cut in Excise Tax

Washington, Oct. 5. — Sen. Taft said today that it is "possible" that excise taxes may be cut $2,000,000,000 to $3,000,000,000 next year.

But, the Ohio Republican, ranking member of the Senate Finance Committee, said he did not think the excise tax situation should be opened up for reductions unless Congress has leeway to cut them by from $2,000,000,000 to $3,000,000,000. Taft declared he doubted that it would be necessary to raise taxes next year.

Cohen and Lesser Buying Coast Houses

SAN FRANCISCO, Oct. 5.—Joseph Blumenfeld, president of Blumenfeld Theatres, admits that negotiations are close to consummation for the sale of his San Francisco Market Street Orpheum and Esquire theatres, to Sherrill Cohen and Sol Lesser. Last August, the two theatremen purchased Blumenfeld's United Artists Theatre here.

It is anticipated the present deal will be signed by Oct. 15 and will also include other theatre holdings of the Blumenfeld circuit.

Clagett and Schilz Form Film Law Firm

WASHINGTON, Oct. 5. — John F. Clagett and Harold L. Schilz have set up a new law firm to specialize in motion picture, radio and anti-trust cases.

Both partners have had long careers in the Justice Department's anti-trust division, working on major film cases. Clagett participated in the Paramount, Schine and Crescent cases, with Robert Wright, and Schilz worked on the Schine case and other film investigations.

Second Stockholder Suit

Marking the second such suit to be filed within a week against the same plaintiffs, Warner minority stockholder Irving W. Mencher yesterday filed in U. S. District Court here a suit against United States Pictures, Warner Brothers, Joseph Bernhard, Robert W. Perkins, Milton Sperling, Harry M. Warner, Jack L. Warner and Morris Wolf, alleging conspiracy in behalf of United to the detriment of Warners.

Warner officials were not available here yesterday for comment.

Hoguet in ECA Post

Peter W. Hoguet, formerly with Skouras Theatres here and operator of a theatre at Sampson, N. Y., has been appointed chief of a United Kingdom section and assistant to the deputy administrator at the European Cooperation Administration (Marshall Plan) headquarters in Washington.

Newsreel Parade

THE Presidential candidates on tour are current newsreel highlights. Other items cover growing World Series fever, football, new swim styles, and items of international interest. Complete contents follow:

MOVIETONE NEWS, No. 80—Truman-Dewey Presidential campaign. Canada: four Americans rescued after being forc down in Navy plane. India: River Ga overflows banks. Fortunate fish get pri view of 1949 swim suits. Football.

NEWS OF THE DAY, No. 210—West presses case against Soviet in UN. Campaign snapshots. New look in swim suits. Cleveland wins pennant in tie playoff. Grid thrillers.

PARAMOUNT NEWS, No. 13—World Series fever. President Truman's Washington homecoming. "G.I.'s" insurance sends Jap ex-pilot to college. Sports: horse of the year; football.

UNIVERSAL NEWS, No. 184—Presidential campaign rolls into high gear. News in brief: strike, bathing suits. Football.

WARNER PATHE NEWS, No. 15—Presidential candidates end tour. U. S. leaders open charity drive. British fleet maneuvers. The strange diet of Charles Chase. West Coast swim styles. Football.

Newsreels Set for Baseball Coverage

By Friday, millions of baseball fans will be able to see the first of the baseball world series in newsreels at theatres. Elaborate preparations, including added cameramen, have been made by the five newsreels to bring today's game to screens by the weekend.

Shots of today's game will be rushed from Braves Field in Boston to laboratories here late this afternoon. They will be processed tonight and tomorrow and will be in theatres by Friday. No pooling arrangement has been made by reels, nor will they be released as specials. They will be sent out as soon as they are processed to be tacked on to current clips.

Set Riskin Films at $1,200,000 Budget

Equitable Pictures, recently formed by Everett and Robert Riskin, will produce three pictures this year, each budgeted at $1,200,000, the former announced here yesterday. The first, "Half An Angel," will get underway in about 10 days. It will have two top star names and shooting is scheduled for 40 days. Distribution arrangements have not been made.

Riskin said that with so many independent production adventures having "fallen by the wayside," studio stage space goes a-begging in Hollywood compared with two years ago. Second picture scheduled is "You Belong to Me." Riskin will return to the Coast next week.

Bischoff Forms Company

HOLLYWOOD, Oct. 5.—Bischoff Enterprises has been established by Sam Bischoff to produce four or five pictures during 1948-49. First picture will be "Next Door to Hell," starting in December. No release channel has been set.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urhen Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; Theatre Sales; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

"Make Mine Metro-Cola!"



It's the new cry that's sweeping the nation! Showmen tell us that M-G-M is tops with ticket-buyers from Coast to Coast. They loved Leo's big, gay Summer attractions and it's in the air everywhere that M-G-M's got the top pictures for Fall and Winter, too!

"THREE MUSKETEERS" PREVIEW! WOW!

Let's face it! M-G-M has the greatest commercial property it has had since "Gone With The Wind." We told you about the Coast Preview, and last week at Loew's 72nd St. Theatre we saw its magic with our own eyes and heard the tumultuous cheers of a capacity audience! Watch! Wait! A new Box-office Giant is born!

For instance: "Julia Misbehaves," the talk of New York, is destined to be one of 1948's biggest grossers. (*Use the teaser below by substituting your theatre name. Actual size 2-Cols.*)



M-G-M presents GREER GARSON • WALTER PIDGEON in "JULIA MISBEHAVES" • PETER LAWFORD • ELIZABETH TAYLOR CESAR ROMERO • Lucile Watson • Nigel Bruce • Mary Boland Reginald Owen • Screen Play by William Ludwig, Harry Ruskin and Arthur Wimperis • Adaptation by Gina Kaus and Monckton Hoffe Based Upon the Novel "The Nutmeg Tree" by Margery Sharp Directed by JACK CONWAY • Produced by EVERETT RISKIN



Above:

Another ad (*Actual size 3-Cols.*) that tells New Yorkers about M-G-M leadership.

UA Video Films

(*Continued from page* 1)

geared into the first nationwide video sales staff to begin operating in the new entertainment field," the company states.

UA Television has begun building a film library of features and short subjects, which will be made available to program directors, advertising agencies, sponsors, network and independent telecasters and related interests.

Lazarus said that the product to be made available will include pictures made by some independent producers releasing through U. A. and in all cases will have played all regular theatre outlets. He said that a catalogue is not yet ready and although he indicated that the pictures for video will not be new he added that he could not be specific at this time regarding their actual age.

The sales service will be on a distribution fee basis, as is United Artists' operations in theatrical distribution.

Sears has appointed John H. Mitchell, radio sales executive and business consultant, to head the new department. Mitchell entered radio with the Erwin, Wasey advertising agency as a program developer. For five years he was with Mutual Broadcasting System. After 20 months in service in the Pacific he joined Honel International, an investment syndicate.

Composers, Ascap

(*Continued from page* 1)

Vincent Leibell on proposed decrees in the suit against Ascap by members of the Independent Theatre Owners Association of New York.

The move to intervene suggests a conflict between the writers and music publishers, according to observers. Under the present arrangement all copyright material is in the name of the publishers.

Today's hearing is expected to have as another highlight strong objections by the plaintiff exhibitors to Ascap's bid for a modification of Judge Leibell's findings and conclusions.

Goldsmith Interim Aide to Sam Eckman

LONDON, Oct. 5.—Charles Goldsmith, assistant to Morton Spring, first vice-president of Loew's International, has arrived in London to act in the same capacity to Sam Eckman, M-G-M's London managing director, for a six months' period.

Eckman, in charge of Loew's interests here for 21 years, said: "On account of pressure of work, I have prevailed upon my associate director to relinquish the services of his assistant."

CEA Fights

(*Continued from page* 1)

and proposes to place it before the Board in the near future.

Dennis Walls, CEA president, advised exhibitors to "do your best to fulfill the quota. The CEA will give 100 per cent guidance and support where hardship results," he told them.

Out of the country's 4,706 theatres, 2,471 applied for quota relief. Of that number, 283 theatres were awarded complete exemption from the quota; 1,353 were given relief ranging from quotas of 10 to 40 per cent, but their precise allotments have yet to be made known to them by the Board of Trade. The remaining 835 were held not to have qualified for relief and it is those cases which the CEA now proposes to contest.

US Rejects

(*Continued from page* 1)

tainly looks like negotiations are all off unless they're willing to ante up a lot more."

No one could be found willing to discuss any of the details of the defense proposals and the Government counter-proposals.

Justice spokesmen indicated the Department—after yesterday's fruitless conversations—is going to concentrate more on getting its case ready for the reopening of the proceedings in New York, and spend less time worrying about a consent decree.

ROBERT GOLDEN EDWARD GOLDEN

Announce

FOR EARLY PRODUCTION

"GUILTY of TREASON"

Rank Facing Test

(*Continued from page* 1)

counts reveal, apart from mortgages, debentures, etc., of $76,000,000, short term bank loans and overdrafts of nearly $56,000,000, against which the principal asset consists of over $48,000,000 of what is described as "film productions and rights."

Rank declares that he is satisfied that such a valuation is justified but admits also the possibility of "human error." He announced a new valuation system will be set up.

Stress Long Term Credit

Commentators were unanimous in remarking upon the ephemeral quality of box-office prophecies. They declare that the key to the organization's survival is whether or not those productions prove profitable. They also emphasize that it is essential that Rank implement as soon as practicable his promise to put a substantial portion of his short term bank credit on a longer term basis but they point out also that new capital depends in turn on the box-office success of Rank's current product.

On the other hand, it is important to appreciate that Rank is no white-shirted penitent. He frankly acknowledges that his group's liquid position leaves considerable room for improvement. He pledges not to embark on new ventures. He is cutting production costs and organization expenses to the bone, and in this connection he has liquidated 23 subsidiaries, their activities having been absorbed by the parent body.

He declares he looks forward with "full confidence," claiming his group's theatre earnings for the first 10 weeks since June 26, date of the balance sheet, show material improvement over the corresponding 1947 period. Also, a remarkable year's record in view of extremely complicated operations was made through mergers and acquisitions which simplified the group's workings. This has influenced investors' opinions.

Press Generally Is Optimistic

Lord Beaverbrook's *Express* naturally runs a scare story with the heading "Rank's Colossus Hard Up." But responsible newspaper opinion, though it points out the need for Rank to correct the perilous liquid position with the dubious value attached to film rights and the vast amount of short term overdrafts, is best expressed in this quote from one of them: "The group is emerging from a turgid inflationary state into a more solid business existence."

Film trade accountants are apt to shake their heads over the manner of the accounts presentation. Also, Odeon shareholders, accustomed to boom-time profits, dislike acccpting liability for film production risks, many having had previous unfortunate experiences in that field.

Although market prophets anticipated bigger drops, Rank shares sold only one shilling sixpence to 13 shillings lower in today's market.

Rank, CEA Deal

(*Continued from page* 1)

been termed "an intricate pact." Both sides have agreed to withhold any further information regarding the agreement, but an announcement is expected to be made before the week ends.

Rank and the CEA previously had been at odds over the implications of the new British film quota law.

Rank Says Quota Offers Safeguards

LONDON, Oct. 5.—J. Arthur Rank told stockholders of his Odeon Theatres, Ltd., yesterday that Britain's new 45 per cent film quota is insurance against possible future boycotts of the British market by American distributors.

He replied vigorously to criticisms of the new quota act, asserting that it is justified if only from the viewpoint that there was always the danger before of American distributors cutting off film supplies if they became dissatisfied with any future action by the British government.

He claimed that Odeon figures show an average weekly take from British films of $2,348, against $2,264 for all foreign films. He still holds to the belief that it is to the best interests of both countries that Hollywood and British films be shown together the world over.

Rank still wishes to reach an understanding with the American industry but doubts that to be possible until Hollywood leaders are prepared to accept the British industry as being established now and one that they must treat on that footing.

He is equally satisfied that no peace is possible until Rank's films receive reasonable playing time in the United States. Since the tax settlement, he said, there have been no active measures taken to play British pictures in America. In fact, the experience has been the reverse, he said.

Report Johnston Film Deal with Yugoslavia

Eric Johnston, Motion Picture Association of America president, has closed a deal with the Yugoslav government whereby the latter will purchase 20 to 25 American pictures during the next year for dollars to be paid in a New York bank, according to press dispatches reaching here from Belgrade where Johnston was reported to have engaged in a two-hour talk with Marshal Tito.

Johnston was scheduled to leave Belgrade yesterday by plane for Geneva. The MPAA here had received no direct word from him.

Nitti Tax Evasion Hearings Are Ended

CHICAGO, Oct. 5. — Internal Revenue lawyers mediating in the $404,000 income tax evasion case against the late Frank Nitti, hearings on which ended today in U. S. Customs Court, said the case may be appealed by either side to the U. S. Supreme Court on the technicality of whether cash "extortion funds" are taxable. They conceded that evidence submitted in the case tied Nitti only to $12,000 in direct payments.

Judge John Kern gave Government lawyers and counsel for Mrs. Annette Nitti, the gangster's widow, 140 days in which to prepare motions, briefs and replies. Following this a ruling will be issued.

Ex-convict Willie Bioff, who was used as a go-between to extort $1,800,000 from Hollywood producers and Chicago theatre heads still has to answer for deficiencies in his 1938 returns, it was disclosed by U. S. attorney William Schwerdtgeger.

30 from 'U'

(Continued from page 1)

starring Joan Fontaine and Burt Lancaster, produced by Richard Vernon and directed by Norman Foster, from the novel by Gerald Butler.

"Rogue's Regiment," starring Dick Powell, Marta Toren and Vincent Price, produced and written by Robert Buckner and directed by Robert Florey.

"The Countess of Monte Cristo," a Westwood production, starring Sonja Henie. John Beck produced and Frederick DeCordova directed, from a story by Walter Reisch and a screenplay by William Bowers.

"Mexican Hayride," starring Abbott and Costello, produced by Robert Arthur and directed by Charles Barton, based on the Broadway musical comedy by Herbert and Dorothy Fields and Cole Porter.

Fontaine-Stewart Starrer

"You Gotta Stay Happy," a Rampart production, starring Joan Fontaine and James Stewart, from the Saturday Evening Post serial by Robert Carson, produced and written by Karl Tunberg and directed by H. C. Potter. It is scheduled to have its world premiere at Radio City Music Hall, New York, in November.

"Live Today for Tomorrow," formerly titled "An Act of Murder," starring Fredric March, Edmond O'Brien, Florence Eldridge and Geraldine Brooks. Jerry Bresler produced and Michael Gordon directed.

"The O'Flynn," a Fairbanks Company production, starring Douglas Fairbanks, Jr. and co-starring Helena Carter and Richard Greene. Fairbanks was the producer and Arthur Pierson, the director. Robert Thoeren collaborated with Fairbanks on the screenplay.

"Criss Cross," starring Burt Lancaster, Yvonne De Carlo and Dan Duryea. Michel Kraike produced and Robert Siodmak directed. It is based on the novel by Don Tracy, with a screenplay by Daniel Fuchs.

"Family Honeymoon," starring Claudette Colbert and Fred MacMurray. John Beck and Z. Wayne Griffin were co-producers and Claude Binyon directed, based on the novel by Homer Croy. It, too, will have its premiere at Radio City Music Hall.

"Red Canyon," formerly known as "Black Velvet," in Technicolor, starring Ann Blyth, Howard Duff and George Brent. Leonard Goldstein produced and George Sherman directed. It is based on the novel "Wildfire," by Zane Grey.

Four Start Production

Starting production are: "The Life of Riley," Brecher production, starring William Bendix with Meg Randall, with Irving Brecher the writer, producer and director; "Calamity Jane and Sam Bass" in Technicolor, starring Yvonne De Carlo, to be produced by Leonard Goldstein and directed by George Sherman; "The Amboy Dukes," to be produced and directed by Maxwell Shane; and "The Night Watch," written, produced and directed by Robert Buckner; included in the 30 picture schedule also will be "Come Be My Love," starring Robert Montgomery; "Gambling Lady," starring Barbara Stanwyck; "Arctic Manhunt"; "Abbott and Costello and the Invisible Man"; an untitled picture starring Donald O'Connor; "Bagdad"; "Western Story"; "Take One False Step," based on the Irwin Shaw novel; "Moon Over Java"; "Cripple Creek," and "Tomahawk."

Rank's 'Columbus' to Get Same Roadshow Treatment as 'Hamlet'

SAN FRANCISCO, Oct. 5.—J. Arthur Rank's "Christopher Columbus," in Technicolor, starring Fredric March, Florence Eldridge, Linden Travers and Francis L. Sullivan, will receive the same roadshow treatment as Laurence Olivier's "Hamlet," William A. Scully, Universal sales vice-president announced here today.

Rep. Sales Session Today at Studio

HOLLYWOOD, Oct. 5.—Herbert J. Yates, Republic president, will preside tomorrow at the second session of a two-day regional sales meeting being held at the company's studios. This is the first of a series of three regional sales meetings being held; the second will be in Chicago at the Blackstone Hotel on Friday and Saturday, and the last is to be held in New York at the New York Athletic Club, on Oct. 14-15.

Bert Green Dies; Was Film Cartoonist

Bert Green, 63, a pioneer cartoonist in motion pictures who joined Hearst-Pathe in 1915, died yesterday in the Veterans' Administration Hospital, The Bronx, N. Y. Green, who was born in England, entered the film field after a varied career as newspaper cartoonist. He also wrote scenarios for Hal Roach comedies featuring Laurel and Hardy and did scenarios and animated cartoons for M-G-M. In addition to the widow, a son and a sister survive.

756 Drive-ins

(Continued from page 1)

137 are listed as being open for business throughout the year, the other 606 being open seasonally. The report also reveals that construction is now underway on 86 new theatres.

Drive-ins are most prevalent in the Charlotte territory, where there are 107 operations. Dallas, with 78, is second in the MPAA listing.

New York Grosses

(Continued from page 1)

stage at the Strand, is on the way to a handsome $80,000 in a first week. "River" is good for an estimated $100,000 in a very healthy initial week at the Capitol, where the stage support consists of Tony and Sally DeMarco, Buck and Bubbles and Nat Brandwynne.

At the Roxy, "Cry of the City," with Marie McDonald, Danny Thomas and an ice revue on stage, is figured to wind up a first week with a $115,000 gross, which is very big. "Hamlet" is playing to capacity audiences at the Park, which looks for $16,000 in its first week. A fair $25,000 is indicated for the first week of "Saxon Charm" at the Criterion. The Rivoli's "An Innocent Affair" probably will take in about $20,000 in a first week, which is not too impressive. "Good Sam" will complete a third and final week at the Music Hall with a gross of $115,000, considered adequate. It is to be followed tomorrow by "Julia Misbehaves."

Fifth week of "Loves of Carmen" should give the State about $30,000, which is good enough. "Olympic Games of 1948" probably will complete its second and final week at the Gotham with a modest $7,500; it will be replaced by reissues. The fifth week of "Sorry, Wrong Number," with Carmen Cavallaro on stage, should gross about $65,000 at the Paramount.

"Rachel and the Stranger," at the Mayfair, probably will do a fairly healthy $21,000 in its third week. "Babe Ruth Story" has a low gross of $9,000 indicated for its 10th week at the Astor. The Globe figures on $29,000, which is all right for the sixth week of "Rope."

Master Will Retain Alger Circuit Case

CHICAGO, Oct. 5.—Counsel for distributor plaintiffs in the Alger Circuit percentage case now pending in U. S. District Court here will withdraw the motion to vacate the order referring the case to Federal master-in-chancery Joseph F. Elward, because of crowded conditions on Judge William F. Campbell's calendar.

Counsel states, however, plaintiffs will renew their motion before the master to examine the Alger Circuit books which Judge Campbell had denied until the legality of distributors' contracts is established.

Production Steady At Coast Studios

HOLLYWOOD, Oct. 5. — The production index stood at 27, dropping one from the previous week. Nine new films were started, while 10 were sent to cutting rooms.

Shooting started on "Make Believe Ballroom," Columbia; "An Old Fashioned Girl" (Equity), Eagle-Lion; "Zamba" (Fortune Films), Independent; "Big Jack Horner," Metro-Goldwyn-Mayer; "The Rainmaker," Monogram; "El Paso" (Pine-Thomas), Paramount; "Renegades of Sonora," Republic; "Shep Comes Home" (Lippert), Screen Guild; "Impact" (Popkin), United Artists.

Shooting finished on "Air Hostess," "Desert Vigilante," "Jungle Jim's Adventure" and "Knock on Any Door," Columbia; "Daughter of Ramona" (Mooney), Film Classics; "Jiggs and Maggie in Court" and "Headin' for Trouble," Monogram; "One Woman," Paramount; "The Missourians," Republic; "The Fountainhead," Warner.

W. P. Bernfield, QP L.A. Representative

HOLLYWOOD, Oct. 5.—William P. Bernfield, 51, veteran showman and Los Angeles Film Row representative of Quigley Publications for the past 18 months, died this morning from a heart attack at San Bernardino, where he had gone to assist Harry Dickerman in preparing an exploitation campaign for the opening of a drive-in theatre.

The widow, Hattie, survives.

N. Solomon, Exhibitor

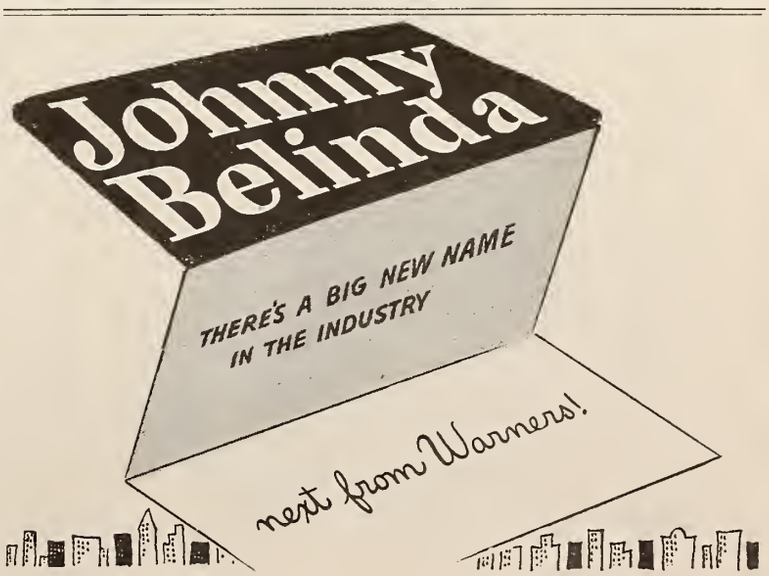
MCCOMB, Miss., Oct. 5.—N. Solomon, well-known theatre operator, died here while attending the Laurel-McComb football game. Solomon operated theatres in Baton Rouge, Columbia, Yazoo City, McComb, Summitt and Natchez.

Len Daly's Father

PHILADELPHIA, Oct. 5.—T. A. Daly, father of Len Daly, special advertising-exploitation representative of United Artists' foreign department, died here yesterday at General Hospital. Daly was widely known for his poetry.



FIVE-STAR
DC-6
FLAGSHIPS
LOS ANGELES
11 hours, 10 minutes
•
CHICAGO
3¼ hours
Phone HAvemeyer 6-5000
or your travel agent
Ticket Offices: Airlines Terminal
Rockefeller Center • Hotel New Yorker
120 Broadway • Hotel St. George
AMERICAN AIRLINES




KEEP POSTING!
KEEP POSTING
1 SHEETS • 3 SHEETS • 6 SHEETS • 24 SHEETS
SHOWMANSHIP
Built Show Business!
SHOWMANSHIP can
Better Show Business!
"The motion picture good enough to sell itself has not yet been made."
Martin Quigley
NATIONAL Screen SERVICE
PRIZE BABY OF THE INDUSTRY

Accurate Concise and Impartial

MOTION PICTURE DAILY

FILE COPY DO NOT REMOVE

FIRST IN FILM NEWS

Vol. 64. NO. 69 NEW YORK, U.S.A., THURSDAY, OCTOBER 7, 1948 TEN CENTS

Leibell Doubts He Can Halt Ascap Collections

May Limit Relief to N.Y. Exhibitor Plaintiffs Rather Than Deprive Ascap of Levy Power; Latter Is Job for U.S., Ascap Counsel Argue

Three months after his unprecedented opinion against the American Society of Composers, Authors and Publishers, Judge Vincent L. Leibell in New York Federal Court yesterday expressed doubt that he can decree that Ascap should divest itself of public performance licensing rights of music synchronized with motion pictures, the rights by which Ascap collects fees from theatres.

Speaking from the bench at a hearing on a proposed decree in the case instituted by members of the Independent Theatre Owners Association of New York, Judge Leibell said: "I am not so sure about that divestiture. I am not so sure that the matter should not be left to the Attorney General."

Judge Leibell made the observation following oral argument against the divestiture made by Robert P. Patterson, special Ascap counsel, and receipt of an affidavit signed by Ascap litigation counsel Louis D. Frohlich in support of a motion for sweeping modifications of the jurist's findings and conclusions of law in the case.

Patterson argued that any relief granted by the court should be limited to the New York exhibitor plaintiffs in the case on hand and should not be extended to the divestiture of Ascap licensing rights which would prevent it from collecting from theatres elsewhere throughout the country. Relief of such broad national effect upon As-

(*Continued on page 4*)

Arbitration Status Quo Is Upheld by 4

Deny Arthur's Appeal High Court Is Urged

WASHINGTON, Oct. 6.—Four major distributors told the U. S. Supreme Court today that two lower courts acted correctly in throwing out a suit filed by independent St. Louis exhibitors against the industry's arbitration system, and warned that an opposite ruling might "seriously hamper" new efforts of the New York District Court to set up a new arbitration system in the Paramount case proceedings.

The argument was advanced in a brief filed by Whitney North Seymour on behalf of Paramount, RKO Radio, 20th Century-Fox and Warner. They asked the Supreme Court not to hear an appeal by the Harry Arthur interests seeking $265,000 damages for alleged injuries resulting from clearance set by the American Arbitration Association under the old Paramount case consent decree, and observed by the distributors. They also want an

(*Continued on page 4*)

Decree Talks Will Be Continued by 4

Company executives indicated here yesterday that a new approach to the Government on a consent decree in the industry anti-trust case will be made by at least four companies in the near future, following the inconclusive results of this week's talks between company counsel and Department of Justice officials.

A Department spokesman on Tuesday characterized as "inadequate" the decree views of Paramount, Loew's, 20th Century-Fox and Warners which

(*Continued on page 4*)

Mich. Allied Elects Board in the Field

DETROIT, Oct. 6.—District meetings to elect members of the board of directors and alternates in accordance with changes in the constitution and by-laws has begun by Allied Theatres of Michigan.

A meeting was held by members of the seventh district at Imlay City, where Bob Schuckert of Caro was elected board member and Harry

(*Continued on page 2*)

Map New Arbitration Set-up; Support of 11 Companies Asked

Plans for a new industry arbitration system which contemplates the inclusion of 11 national distributors, rather than the "Big Five" only, and the extension of rules to include arbitration of complaints not covered by the present system, are being developed.

Several meetings on the plans have been held already and representatives of Columbia, United Artists, Universal, Republic, Monogram and Eagle-Lion, attended at least one of the meetings.

None of the six companies which have not participated in the industry

(*Continued on page 4*)

Mayer to Germany For Army's OMG

Arthur Mayer has accepted an appointment as chief of the film branch for the Office of Military Government for Germany, it was announced here yesterday by Brig. Gen. Robert A. McClure, chief of the New York field office of the Civil Affairs Division of the Army.

Mayer has had a long career in the film industry and during World War II was adviser on films to the Secretary of War and head of all film activities for the Red Cross. Mayer's office will be in Munich. He is expected to leave for Germany within two weeks.

See Anglo-U. S. Film Meeting Discarded

LONDON, Oct. 6.—Despite the continued optimism of the London office of the Motion Picture Association of America that a meeting of the Anglo-American Films Council will be held in New York early next month, as proposed by Eric Johnston last August, informed opinion here holds that the Council will not convene on the suggested date, if ever.

It is hoped, however, that Johnston will visit London on his way home from the Continent to discuss further his plan for the segregation of American and British pictures on this country's screens. Leading independent exhibitors and, also, Sir Philip Warter, chairman of Associated British Picture Corp., which controls around 450 theatres, are believed to be desirous of discussing newly arisen points about the proposal with Johnston.

Surprise was expressed that he had not contacted Sir Philip while here.

Britain's Quota Hens Come Home from France to Roost

LONDON, Oct. 6.—Andrew White, chief of the British Board of Trade's film division, who was given an assignment to discuss with French government officials an easing of the restriction of British film imports to France, has returned from Paris with little of comfort to report to Britain's film producers.

It was in consequence of representations made by the British Film Producers Association to the Foreign Office and Board of Trade that White was dispatched to Paris.

The BFPA's representations against the French restrictions drew wry smiles from American film executives here faced with the now effective 45 per cent British film quota. Their amusement, obviously, was over the indignation of the British film producers at the French for taking a leaf out of the British producers' own book.

The Americans recalled, too, that Eric Johnston, president of the Motion Picture Association of America, last August warned the British producers during his talks here that Britain's

(*Continued on page 2*)

Rule 'Blind Checker' Must Be Licensed

Last week's decision by Wisconsin Attorney General Grover L. Broadfoot which exempted checkers of Confidential Reports, Inc., from the necessity of securing licenses as private detectives, under a state statute, requires persons engaged in blind checking, however, to obtain a detective's license, CRI disclosed here yesetrday.

CRI checkers are exempt, Broadfoot ruled, because their checking comes within the scope of the distributor-exhibitor film contract, as agreed to by both parties, and their presence is known to the manager or owner and to the cashier and ticket-taker, according to the CRI statement.

Personal Mention

ARTHUR H. LOCKWOOD, president of Theatre Owners of America, arrived here yesterday from Boston.

•

PETER BURKE, operator at the East End Theatre, Detroit, suffered severe head and shoulder burns received when the automatic feed on the projector failed and he kept the show running by opening the lamphouse and feeding carbons.

•

ROSEMARY A. MULLIGAN of Eagle-Lion Films here will be married on Oct. 23 to GEORGE M. DONALDSON. Her resignation from Eagle-Lion is effective tomorrow.

•

A. J. O'KEEFE, Universal-International assistant general sales manager, is due back in New York today from Cincinnati, Philadelphia and Washington.

•

JANE WYMAN, star of "Johnny Belinda," has been elected this year's honorary president of the Los Angeles Junior Advertising Women's Club.

•

ROY HAINES, Warner Western division sales manager, and LOU KAUFMAN, theatre executive, will leave here today for Cleveland.

•

FRED MEYERS, U-I Eastern sales manager, is in Cleveland and will be in Buffalo on Monday before returning to New York.

•

NORMAN WESTWOOD, supervisor for British Commonwealth Film Corp. in Japan, is at Memorial Hospital here for treatment.

•

HARRY FOSTER, head of the British talent agency which bears his name, is expected in New York from London next Sunday.

•

H. M. BESSEY, Altec executive vice-president, has returned to New York from New Orleans and Little Rock, Ark.

•

EDWIN W. AARON, M-G-M assistant general sales manager, will leave Butte, Mont., tomorrow for New York.

•

ARTHUR HORNBLOW, JR., and his wife, are due here next Thursday by plane en route to London.

•

JEFFREY BERNERD, Monogram producer, has plans for a two-month vacation in England.

•

SAM MARX, M-G-M production executive, will leave Hollywood tomorrow for Ottawa.

•

LAWRENCE WEINGARTEN, M-G-M studio executive, is due here today from the Coast.

•

LESTER COWAN, United Artists producer, will leave New York today for Hollywood.

Studio Employment Hit a Record Low

HOLLYWOOD, Oct. 6.—Employment in studios here hit the lowest point in modern times in August, according to the California Labor Bureau, which issued a bulletin showing employment dropped to 69.8 per cent in that month from 77.2 per cent in July. CLB reports, which cover all industries, use 1940 employment as a base figure of 100 per cent. Average weekly earnings at studios also dipped in August, from July's $97.85 to $94.54, with the average hours per week down from 40.1 to 39.2.

The drop in employment totals is attributable to the record summer layoff and studio closings.

In an overall comment on employment in California, the bulletin stated: "Total employment in manufacturing industries reached 770,900 in August, the highest level since the war and 10,000 above the total a year ago."

Browne, Bioff Called In Ricca Parole Case

CHICAGO, Oct. 6.—George Browne and Willie Bioff are scheduled to appear in Federal District Court here Oct. 18 in connection with a *habeas corpus* hearing for Paul Ricca before Judge Michael J. Igoe, who blocked Ricca's return to prison, ordered by the parole board. William Scott Stewart, Ricca's attorney, had them subpoenaed when they testified in U. S. court this week concerning the film extortion money they turned over to Ricca.

Browne and Bioff will also be served with subpoenas calling for their appearance in Atlanta Oct. 25 when hearings will be held for Louis Campagna and Charles Gioe, convicted and later paroled with Ricca.

U. K. Quota Hens

(*Continued from page* 1)

restrictive (quota) measures inevitably would become a world infection, unless curbed, and would react to the injury of British films.

White has made a report to Harold Wilson, president of the Board of Trade, on his negotiations in Paris but it will not be made public until Wilson has discussed it with BFPA.

It is known, however, that the French have instituted a second quota in addition to that under which 120 dubbed American films will be admitted to the country in any given year. The second category relates to dubbed "foreign" films from all countries other than the U. S. and provides for licenses for the import annually of 65 films, which is expected to fall largely to Britain.

Board of Trade officials, however, believe the second quota will not materially reduce the inflow of British films. Moreover, no question arises of a transfer of francs to this country as blocked British balances in France are being utilized there, it is said.

Asked if the results of White's visit to France were satisfactory to the British government, a Board of Trade spokesman said: "On the question of exports we are never satisfied."

Reservations Heavy For Allied Meeting

New Orleans, Oct. 6.—On the basis of advanced reservations received by the committee to date for national Allied's annual convention here, Nov. 29-Dec. 1, at the Roosevelt Hotel, past attendance records will be shattered, according to W. A. Preweitt, Jr., convention chairman.

Preweitt attributes this to the U. S. Supreme Court decision in the New York anti-trust case, the Ascap court rulings, the advance of television, and declining box-office receipts.

Myers Will Address W. Pa. Allied Today

PITTSBURGH, Oct. 6.—Allied States counsel Abram F. Myers will be guest speaker at the initial fall luncheon of Allied Motion Picture Theatre Owners of Western Pennsylvania in the William Penn Hotel here tomorrow.

Mich. Allied Elects

(*Continued from page* 1)

Hobolth was named alternate. The meeting of the 10th district was held in Midland where the district membership was a guest of Bill Cassidy for luncheon. E. C. Johnson of the Washington Theatre in Bay City was elected board member with Lee Ward of Mt. Pleasant as alternate. In the ninth district, Glenn Wallace of Scottville was elected board member, and Don Iverson of Lake City was elected alternate.

Meetings in other districts have been scheduled as follows: Members of the fourth district will meet in Paw Paw tomorrow where they will be guests of Mort Dennis. On Friday, the fifth district will meet at the Morton Hotel in Grand Rapids, while Rene Germani will entertain members of the second district in Monroe on Oct. 13.

Sam Epstein Killed In Train Accident

OMAHA, Oct. 6.—A Missouri Pacific freight train struck an auto at a crossing here killing Samuel Epstein, 61, head of an Omaha theatre circuit, and a friend. Epstein was for a long time treasurer and past president of the local Variety Club, and also held key positions in a number of Jewish organizations. Services will be conducted here tomorrow.

Surviving are the widow, Rose; a daughter, Mrs. Shirley Berman; a son, Jack, who was in business with him; two sisters and five brothers, including Louis, associated with him for 40 years.

David H. Stoneman

BOSTON, Oct. 6.—David H. Stoneman, father of Harold Stoneman, president of Interstate Theatres of New England, died suddenly here today.

Weitman Appoints More to Committee

Robert Weitman, managing director of the New York and Brooklyn Paramount theatres, and chairman of the producing committee for the forthcoming "Night of Stars" benefit, to be held here at Madison Square Garden on the evening of Nov. 15, has appointed the following additional committeemen:

Ernest Emerling, Zeb Epstin, Gus Eyssell, William Feinberg, Henry Frankel, Moe Gale. Joseph G. Glaser, John Goodson, Abel Green, Lester B. Isaac, Harry Kalcheim, Nat Kalcheim, Dave Katz, Ray Katz, Abe Lastfogel, Leon Leonidoff, Harry Levine, Harry Mayer, Richard McCann, John McInerney, Charles Miller, Solly Pernic, Sidney H. Piermont, Larry Puck, Sam Rauch, Thomas G. Rockwell.

Also, Frank Roehrenbeck, Harry A. Romm, Leonard Romm, Herbert I. Rosenthal, Harry Rubin, Manny Sacks, James E. Sauter, Robert K. Shapiro, Sol Shapiro, John Shubert, Michael Todd, Fred Waring, Arthur Weill, David A. Werblin, Max Wolff and Louis Yeager.

U.S. Information Unit To Meet on Program

WASHINGTON, Oct. 6.—The State Department's advisory commission on information, set up to counsel the Department on its overseas information program, will hold its first meeting here tomorrow and Friday, with the motion picture program to be studied on Friday. Mark May, director of Yale University's Institute of Human Relations, is the only member of the five-man commission associated with the film industry, having worked extensively on documentaries.

Greer Buys Booking Firm from Franconi

DALLAS, Oct. 6.—Total stock in United Theatre Service Corp. here has been acquired by John C. Greer, who will become president and continue as general manager of the buying-booking service which now handles more than 30 situations, it has been announced by John L. Franconi, organizer and retiring president of United. Franconi will concentrate on his Screen Guild exchange.



MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; Theatre Sales; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.



Warners HAVE THE PICTURE EVERY PREVIEWER HAS CALLED THE COMEDY OF THE YEAR"! **Come to the Trade Show!**

ALBANY
Warner Screening Room
79 N. Pearl St. • 12:30 P.M.

ATLANTA
20th Century-Fox Screening Room
197 Walton St. N.W. • 2:30 P.M.

BOSTON
RKO Screening Room
122 Arlington St. • 2:30 P.M.

BUFFALO
Paramount Screening Room
464 Franklin St. • 2:00 P.M.

CHARLOTTE
20th Century-Fox Screening Room
308 S. Church St. • 10:00 A.M.

CHICAGO
Warner Screening Room
1307 So. Wabash Ave. • 1:30 P.M.

CINCINNATI
RKO Screening Room
Palace Th. Bldg. E. 6th • 8:00 P.M.

CLEVELAND
Warner Screening Room
2300 Payne Ave. • 2:00 P.M.

DALLAS
20th Century-Fox Screening Room
1803 Wood St. • 2:00 P.M.

DENVER
Paramount Screening Room
2100 Stout St. • 2:00 P.M.

DES MOINES
20th Century-Fox Screening Room
1300 High St. • 12:45 P.M.

DETROIT
Film Exchange Building
2310 Cass Ave. • 2:00 P.M.

INDIANAPOLIS
Universal Screening Room
517 No. Illinois St. • 1:00 P.M

KANSAS CITY
20th Century-Fox Screening Room
1720 Wyandotte St. • 1:30 P.M.

LOS ANGELES
Warner Screening Room
2025 S. Vermont Ave. • 2:00 P.M.

MEMPHIS
20th Century-Fox Screening Room
151 Vance Ave. • 10:00 A.M.

MILWAUKEE
Warner Theatre Screening Room
212 W. Wisconsin Ave. • 2:00 P.M.

MINNEAPOLIS
Warner Screening Room
1000 Currie Ave. • 2:00 P.M.

NEW HAVEN
Warner Theatre Projection Room
70 College St. • 2:00 P.M.

NEW ORLEANS
20th Century-Fox Screening Room
200 S. Liberty St. • 1:30 P.M.

NEW YORK
Home Office
321 W. 44th St. • 2:30 P.M.

OKLAHOMA
20th Century-Fox Screening Room
[illegible] • 1:30 P.M.

OMAHA
20th Century-Fox Screening Room
1502 Davenport St. • 1:00 P.M.

PHILADELPHIA
Warner Screening Room
230 No. 13th St. • 2:30 P.M.

PITTSBURGH
20th Century-Fox Screening Room
1715 Blvd. of Allies • 1:30 P.M

PORTLAND
Jewel Box Screening Room
1947 N.W. Kearney St. • 2:00 P.M.

SALT LAKE
20th Century-Fox Screening Room
216 East 1st South • 2:00 P.M.

SAN FRANCISCO
Paramount Screening Room
205 Golden Gate Ave. • 1:30 P.M.

SEATTLE
Jewel Box Screening Room
2318 Second Ave. • 10:30 A.M.

ST. LOUIS
S'renco Screening Room
3143 Olive St. • 1:00 P.M.

WASHINGTON
Warner Theatre Building
13th & E Sts. N.W. • 10:30 A.M.

BETTE DAVIS · ROBERT MONTGOMERY

JUNE BRIDE

with FAY BAINTER BETTY LYNN TOM TULLY

directed by BRETAIGNE WINDUST · produced by HENRY BLANKE

Screen Play by Ranald MacDougall • Based on a Play by Eileen Tighe and Graeme Lorimer

Leibell-Ascap

(*Continued from page 1*)

cap's operations should be sought only by the Attorney General, if at all, he said. Patterson even agreed that Ascap could be restrained from collecting from the 102 New York exhibitor plaintiffs in this case, but not from collecting from others.

Milton Weisman, counsel for the plaintiffs, maintained a categorically opposite position throughout the session in court, asserting that Ascap was endeavoring to render of no consequence Judge Leibell's opinion of last July.

It was with an apparent sympathetic ear that Judge Leibell heard Patterson, former Secretary of War, who was retained by Ascap following the July opinion.

Limited Injunction Sought

Patterson insisted that the issues before the court should be reduced to a simple injunction involving only plaintiffs in the case. To that he added: "Let it be for the Attorney General to attack Ascap more broadly." At this point Leibell interjected, "the proof submitted to this court was broad enough to warrant the broad conclusion." And then, "the court's conclusion was based on the broad concept of Ascap's structure."

Patterson continued: "These provisions (of Judge Leibell's opinion) go far beyond the Clayton Act. Restrain the defendants from demanding that plaintiffs pay for the public performance rights of music on film. This is the only practice complained of by the plaintiffs.

"As to divestiture, we have been unable to find any private case where it was so ordered. It involves the rights and interests of those not before the court—other exhibitors—there are plenty of them who want to continue present practices—and motion picture producers."

Judge Leibell showed considerable interest in the consent decree entered into by Ascap and the Government in 1941, several times interrupting argument to learn details. Frohlich told the court that the decree resulted in a suspension of the trial at that time, that the court had not handed down any conclusions or findings in the case.

Patterson said he recalled that 25 years ago the matter of dissolution in a private case was before Judge Learned Hand who, at that time, said he "could not conceive" of such an order.

Divestiture Up to U. S.

If divestiture is needed, "let the Attorney General say so," Patterson went on. "He hasn't seen fit to do it and I believe for valid and sound reasons."

Leibell observed here that the court in its conclusions "declared on the broad illegal operations (of Ascap) but in its decree must grant relief" only on those practices objected to by the plaintiffs.

"The decree," he said, "should not be broader in scope than what is necessary to protect plaintiffs. The main issue is whether 27 (conclusion No. 27 on divestiture) is too broad in scope and whether the court overextended itself, or should have left that to the Government."

Judge Leibell made it clear that he was familiar with the U. S. Supreme Court's disposition of an assortment of cases in the film industry and saw in them some resemblance to the Ascap matter. Speaking of partial dissolution, he said: "Judging from the Crescent, Schine and Paramount cases they (the high court) might go that far (in ordering divestiture). But have I got the right to go that far?"

Discussed D. of J. Action

Judge Leibell at one point asked Milton Weisman if he had approached the Government with the aim of Department of Justice action against Ascap. Weisman said he had "gone down there and they admitted they made a mistake, off the record," this presumably meaning the Government's agreement to the 1941 decree. Weisman said he "saw Sonnett" in an apparent reference to John Sonnett, former head of the anti-trust division of the Department.

Judge Leibell ordered counsel for both sides to fully explore whether the Federal Court here has jurisdiction to rule on divestiture, to state their positions in briefs which he directed them to exchange on Oct. 15, and to submit answers by Oct. 22. Judge Leibell said he hoped to dispose of the case before his "November assignments."

In conclusion he told Weisman that plaintiffs' proposed judgment was "very extensive, more than you need in a decree, more than should be in one."

Yesterday's session began with Judge Leibell's granting of intervention approval to Milton Ager, composer, and Chappel Music Publishing Co., both opposing divestiture but seeking copyright protection in the event it is ruled. Both are Ascap members.

Decision Reserved on Momand Appeal

BOSTON, Oct. 6.—U. S. Circuit Court of Appeals here has reserved decision on a plea by A. B. Momand to set aside a reversal by Federal Judge Wyzanski of a jury finding which upheld Momand in his anti-trust suit against distributors. Final argument was heard yesterday by Circuit Judges Magruder, Woodbury and Goodrich, with George S. Ryan representing Momand and Judge Jacob J. Kaplan, of Nutter, McClennon and Fish, appearing for the distributors.

Judge Kaplan maintained the Momand claim had been disposed of by judgments for the defendants after a trial by Federal Judge Broaddus in Oklahoma in August, 1944, while Ryan held that the verdict of the jury in Massachusetts should be reinstated.

Fashion Show for 'Jennie'

Some 300 fashion experts, fashion writers and fashion and buying coordinators have made reservations for a "Portrait of Jennie" fashion show to be staged at the Metropolitan Museum of Art here on Monday, as a promotion for David O. Selznick's "Portrait of Jennie," co-starring Jennifer Jones and Joseph Cotten. Feature of the show will be the unveiling of a portrait of Miss Jones painted by Robert Brackman; the portrait will hang in the Museum.

Arbitration Upheld

(*Continued from page 1*)

injunction against observance of these clearances in the future.

The brief contended that lower court decisions "were in complete accord" with the Supreme Court's Paramount case decision. "The District Court had power to authorize arbitration by motion picture distributors who consented to it," it declared. "While arbitration could not be made mandatory in the absence of consent, its authorization by a court would be meaningless unless those consenting could respect and comply with the awards of the arbitrators without violating the law and exposing themselves to the danger that their mere act of compliance would lay them open to suits under the Sherman Act.

"To permit the system to be established without permitting the distributors to abide by these awards would render the entire process negatory, and it is fair to assume that this was not the intent of this court when it discussed arbitration in the Paramount case," the brief continued. "It should also be remembered that the entire question of whether a method of arbitration should be permanently established is now before the statutory three-judge District Court in New York, under this court's remand.

"The opinion in the Paramount case expressly left that question to the trial court's discretion. The entire purpose of this court's remand on that question would be subverted if, by means of this collateral attack on the power of the District Court, the operation of the arbitration system were to be enjoined. . . . It would seriously hamper the deliberations of the New York court if this suit questioning its powers and seeking to enjoin compliance with its earlier direction were still pending in Missouri."

Decree Talks

(*Continued from page 1*)

were outlined and discussed in Washington. RKO has not taken part in the decree discussions, stating that it prefers to follow a different procedure.

Company officials yesterday indicated that this week's discussions with the Department are regarded largely as exploratory, serving as an opportunity for a preliminary exchange of views on what might constitute an acceptable decree.

"They showed that some of our views need to be revised before we engage in further talks with the Department," one executive said.

Seek Dismissal of $150,000 Trust Suit

WASHINGTON, Oct. 6.—U. S. District Court Judge Matthew took under advisement today a request by two theatre-owning film salesmen to dismiss a $150,000 damage and injunction anti-trust suit against them and four major distributors. The suit was brought by the Center Theatre, Centreville, Md., against RKO, 20th Century-Fox, Paramount, Columbia, and Charles Wingfield and F. B. Klein. The latter two, salesmen for Columbia and 20th-Fox, respectively, also operate theatres in Church Hill and Chestertown, Md. Center Theatre accused the defendants of a conspiracy to grant the Klein and Wingfield houses a monopoly of first-run product. Discrimination in clearance, percentage and playing time is charged.

Dissolve Loew-Para. Buffalo Pool Soon

The Loew-Paramount 13-house pooled operation in Buffalo, including four first-run "showcases," is scheduled to be dissolved shortly in accordance with the U. S. Supreme Court's ruling on pools in the industry anti-trust suit, spokesmen for the companies indicated here yesterday.

Currently being supervised by Vincent R. McFaul, the operation is said to be the last large pool of its type in the U. S. The break-up will return to each company operation of its own houses. McFaul, it is understood, has a minority interest in the pool, which will be bought out. Final details of the break-up are currently being worked out by Loew and Paramount theatre executives here.

Involved are four downtown theatres, the Buffalo, Great Lakes, Hippodrome and Teck. Six other theatres are in Buffalo proper and three are in suburbs.

New AAA Plan

(*Continued from page 1*)

arbitration system heretofore is committed to participation in the new system but, according to company officials, all have the proposal under consideration. Most of the six said they were awaiting completion of a draft of the new arbitration provisions together with information on the cost of the system to their companies before making a decision.

The draft is expected to be ready within the next several weeks, in time for the 11 companies to consider it and take action before it is presented to the New York Federal Court during the resumed hearings in the Paramount case, presently scheduled to start between Oct. 27 and Nov. 8. The arbitration of runs will be added to the present functions of the local boards and additional matters not now arbitrable also may be included.

If approved by the companies, Federal Court sanction for the new system would be sought. The American Arbitration Association would continue to administer the system and the present 31 local arbitration boards would be continued.

Several of the six companies not participating in arbitration now observed that they "might just as well be in it" as clearance and other awards made by the arbitration boards in complaints involving any or all of the Big Five inevitably become the rule for all distribution companies thereafter. Others, however, remarked that arbitration is the responsibility of the theatre owning companies.

"The complaints involve their theatres for the most part and we would be brought in only incidentally," one company executive said. "I do not think we should bear any of the cost if we consent to placing ourselves under the jurisdiction of the court."

Mrs. Dawson in Spokane

SPOKANE, Oct. 6.—Motion Picture Association of America's Children's Film Library makes available to 2,500 theatres films approved for special Saturday matinee showings to eight to 12-year-olds, Mrs. Marjorie Dawson, associate director of the MPAA community relations department, informed the Association of Governing Boards of State Universities and Allied Institutions, at its annual meeting here.

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64. NO. 70 NEW YORK, U.S.A., FRIDAY, OCTOBER 8, 1948 TEN CENTS

'Little Three' Seen 'Slighted' In U. S. Order

Some Left Wondering If They're Still in Suit

Counsel for the "Little Three" concluding their study yesterday of the Government's proposed form of order for entry in the industry anti-trust suit here found so little applicable to Columbia, United Artists and Universal that they were left wondering why they are still in the suit.

"The only change in the decree proposed by the Government which affects us," one attorney said, "is the substitution of a new clause for the competitive bidding section knocked out by the Supreme Court."

The attorney remarked that he considers the Government's substitute clause in that instance "almost meaningless insofar as the Little Three are concerned."

"The Government apparently wants no further relief from us," counsel for another company stated. "I'm surprised we are still kept in the case."

The Justice Department's proposed

(*Continued on page* 19)

Allied Group Flays Quality of Films

BALTIMORE, Oct. 7.—Current Hollywood product was sharply criticized today when Eastern regional executives of Allied States asserted that the quality of films today is responsible for the decline in business. There is nothing wrong with the box-office situation that cannot be cured by good picture, they added at the special meeting called by Meyer Leventhal, Eastern regional vice-president.

The entire morning session was devoted to analyzing each major studio's output. A resolution was passed condemning inferior pictures and pointing

(*Continued on page* 4)

Penn. Owners Hit Enabling Act Taxes

PITTSBURGH, Oct. 7.—Continuance or renewal of enabling acts permitting municipal, borough and township authorities to levy taxes in their own districts was vigorously opposed in a resolution passed at the annual fall luncheon of the Allied Motion Picture Theatre Owners of Western

(*Continued on page* 4)

Lockwood to Rank: Send Good Films And We'll Play Them

Taking statements by J. Arthur Rank as implying that American exhibitors are discriminating against British pictures, Arthur H. Lockwood, president of the Theatre Owners of America, and New England exhibitor pioneer, yesterday asserted that the U. S. market is completely open to British producers without restrictions of any character.



Arthur Lockwood

Lockwood referred to a report made by Rank in London this week to his stockholders in which

(*Continued on page* 4)

T.O.A. Conciliation Plan Up for Vote

Executive committee of the Theatre Owners of America will meet here within two weeks to vote on a conciliation plan which would "function for all companies and all exhibitors," Arthur Lockwood, TOA president, disclosed here yesterday. He declined to divulge details of the program pending its approval except to say it will originate on a local level and will embrace parts of the mediation plan devised by North Central Allied and 20th Century-Fox.

Hold Ascap Dues, Is SCTOA's Advice

Hollywood, Oct. 7.—Southern California Theatre Owners Association yesterday advised its members to withhold the next quarterly payment for Ascap, and to hold the money in reserve against possible future developments.

SCTOA also outlined at a meeting here plans for setting up a conciliation board in conformity with the policy adopted by the Theatre Owners of America at its recent Chicago convention.

NLRB Okays 'IA' at UA

National Labor Relations Board here yesterday certified IATSE Motion Picture Home Office Employes Local No. H-63 (AFL) as the collective bargaining representative of United Artists home office "white collarites," thus upholding the validity of H-63's victory in the Sept. 28 shop election at UA. This is the first certification of "IA" as a film home office representative in that organization's current "invasion" of SOPEG's strongholds in this industry.

The election's outcome was challenged by UA employee Cecilia Schuman, who filed an appeal with the NLRB against certification of H-63 on the charge that the company "assisted" the union. That appeal was denied.

The certification caps H-63's defeat of Screen Office and Professional Em-

(*Continued on page* 19)

"Macbeth"

[*Mercury-Republic*]—Shakespeare à la Welles

ORSON WELLES' long awaited "Macbeth" is a worthy film whose mood of murder and madness towers with telling impact. Coming on the heels of Laurence Olivier's superb "Hamlet," it once again reaffirms the screen's ability to dedicate itself to the finest in Shakespearean art and come off with flying colors. A special preview for an invited audience was held here last night at the Museum of Modern Art.

To be sure, it is a drama of enduring worth, but this is a business whose gears are lubricated by box-office returns, and Shakespeare, however splendidly conceived, remains high-brow entertainment not likely to stir the average film-goer. It appears likely that the production will have its best commercial opportunities under a merchandising arrangement similar to the handling of such classic predecessors as "Henry V" and "Hamlet." And unquestionably the picture can, and very likely will, be released periodically down the years, bringing home, in its unhurried time, a handsome profit.

The production is one of sweep and spectacle. All the poetic tragedy of the man, pressed by a power-driven wife into putting the dagger to

(*Continued on page* 19)

Ascap Seen Barred from Fee Collecting

Attorneys Hold Threat Of Suits Will Bar It

There is little likelihood that the American Society of Composers, Authors and Publishers will invite suits throughout the country by endeavoring to collect from theatres for music performing rights in the event that Federal Judge Vincent L. Leibell decides against divesting Ascap of its licensing rights, copyright attorneys said here yesterday.

Judge Leibell expressed doubt that he had the right to order such a divestiture after hearing arguments of opposing counsel on Wednesday on the form of an order to be entered in

(*Continued on page* 19)

$497,696 Loss for AA-Monogram

HOLLYWOOD, Oct. 7.—Net loss of $497,696 after a net tax refund of $480,414 available under the loss carryback provisions of the Federal income tax laws was announced today by Steve Broidy, president of Allied Artists and Monogram, for the fiscal year ended July 3, 1948. The loss compares with a net profit, after taxes,

(*Continued on page* 19)

Quigley on 'Church Of the Air' Program

Martin Quigley will be the speaker on the CBS "Church of the Air" program on Sunday at 10 A. M., EST. The program is broadcast nationally.

The address is the second in a series of three addresses by laymen of the Jewish, Catholic and Protestant Churches. The first in the series was delivered last Sunday by Lewis L. Strauss, member of the Atomic Energy Commission and president of Temple Emanuel, New York City. The third address in the series will be given on October 17 by a Protestant layman.

The subject of Mr. Quigley's address will be "The Crisis of the Times."

Personal Mention

G. I. WOODHAM-SMITH, member of the J. Arthur Rank hierarchy, will sail from England tomorrow on the *SS Queen Mary* for a routine visit to the U. S.

•

LEON J. BAMBERGER, RKO Radio sales promotion manager, will address the annual convention of the Independent Theatre Owners of Wisconsin and Upper Michigan in Milwaukee on Oct. 14-15.

•

JERRY BANTA, M-G-M head booker in Denver, has become salesman in that city, succeeding AL HOFFMAN, who resigned to enter another business. CLAUDE NEWELL has taken over BANTA's booking post.

•

RALPH WHEELWRIGHT, assistant to HOWARD STRICKLING, M-G-M studio publicity head, who arrived in New York yesterday from Washington, will leave for the Coast today.

•

PAUL RAIBOURN, Paramount vice-president, will be among the speakers on the Town Hall Meeting of the Air broadcast over the ABC network on Wednesday.

•

VINCENT O'BRIEN, former manager of E. M. Loew's Hartford Drive-in at Newington, Conn., has been named manager of that circuit's Center Theatre in Pawtucket, R. I.

•

MORT BLUMENSTOCK, Warner advertising-publicity vice-president, is due back in New York on Monday from the Coast.

•

HERBERT J. YATES, Republic president, has arrived in Chicago from the Coast to conduct a two-day sales meeting.

•

E. T. GOMERSALL, assistant to W. A. SCULLY, Universal's distribution vice-president, will return here today from Dallas.

•

JACK STEVENSON, Paramount office manager in San Francisco, has been promoted to salesman in Salt Lake City, succeeding GIL SESSLER.

•

BUCKY SMITH, formerly with United Artists in San Francisco, has resigned to become regional manager for the Far East Motion Picture Service.

•

HERB ROSEN has been named manager of E. M. Loew's Royal Theatre in Worcester.

•

AL ZIMBALIST, Film Classics advertising-publicity chief, is in St. Louis from New York.

•

FRANK H. WAITE has purchased the Elberta Theatre in Palisade, Colo., from HAROLD JOHNSON.

•

GUY ELLIS has resigned as manager of Warners' Vogue Theatre, Cleveland, to return to Phoenix, Ariz.

•

NORMAN ELSON, vice-president of Trans-Lux Theatres, will leave New York tomorrow for Florida.

Insider's Outlook

By RED KANN

APPROACHING the point of explosion is a situation which will shatter this business with surprise if the roar should go off. The principals are very prominent and so is their company. Involved would be a separate going of the ways after many years of close association. So close it's been indivisible like Scotch and soda, rock and rye, or ham and eggs.

■ ■

Unpretty picture of what transpires in the field is drawn by Leo F. Wolcott, chairman of the board of Allied of Iowa and Nebraska, who reports how an unnamed company head is "'amazed' at the 'hatred' many independent exhibitors have for the distribution forces in this business."

Wolcott speculates if this executive can be so unaware of "the common practices carried on in the field by his sales forces" which thereafter are catalogued:

"The discrimination, the brutal prices and terms demanded and exacted from the little fellows; the sharp 'gimmick' deals; the abusive, arbitrary and high-handed tactics; the contracts which never leave the salesman's grip or the manager's desk drawer until near playdate and harsher terms are forced upon the exhibitor; the wheedling, cajoling 'we won't check you' to get percentages and teach cheating; the local checkers; forced blockbooking, illegal clearances and arbitrary availabilities; the off-the-record agreements among the sales forces not to call upon and offer pictures to exhibitors to be disciplined; the kicking around and inevitable reprisals if an exhibitor dares to stand up and be a man. The list could go on and on."

This is throwing the complete book at distribution. The question: Will distribution take it?

■

The same exhibitor association does not look any more kindly on percentage deals than it ever did, yet it is interesting that Wolcott is offering his members this advice:

"*As for cheating* after you have signed a percentage contract. *We have repeatedly warned you—don't do it.* You will be in trouble, plenty of trouble, sooner or later. *Don't do it!* If you *must* go for percentage, play it fair and square to the last penny. That's the *best* advice we've ever given you. *Wait and see.*"

The emphasis is his.

■ ■

Arthur H. Lockwood's latest title—president of TOA—gives him a total of seven. As treasurer of Lockwood and Gordon Enterprises, he is an exhibitor. As executive vice-president of Screen Guild Productions, president of Screen Art Pictures as well as of Affiliated Prod., all of Hollywood, he is linked specifically with production. As treasurer of Screen Guild Productions of New England, Classic's, Inc., of New England, and Federal Film of Boston, he also is a distributor. Unless memory is far more faulty than ordinarily prevails, this marks the first time a president of a national exhibitor organization has been actively engaged in the other two major branches of the industry at the same time.

■ ■

Fred Lynch, who advertises and publicizes Radio City Music Hall and sees a lot of product in the doing, has a story with a point. It tells of Pharaoh's daughter taking the fabled child to the king, who remarked:

"It's the most unattractive baby I've ever seen."

Pharaoh's daughter: "But it looked so beautiful in the rushes."

■ ■

"Hello, Waldorf? Hal Wallis, please."

"Sorry [after a pause], he is not here, but you will find him at the Plaza."

Must be "Miracle on 34th Street" influence or proof incontestable that Macy's does tell Gimbel's.

■ ■

Mickey Rooney, whose home studio is Metro, is whipping up a one-man stage show, but it won't play the Capitol. The Roxy gets it Nov. 1.

One case when the coals will not be delivered to Newcastle.

■ ■

Metro is circulating a booklet listing behind-the-camera facts about "The Three Musketeers." The heading of Chapter 1, subscribing to the school of understatement, reads:

INCEPTION OF A MASTERPIECE

Katz to So. America Today for 3 Months

Sam Katz, who recently resigned his M-G-M studio executive post, will leave New York today with Mrs. Katz for a two to three months' vacation in South America.

As he made preparations yesterday for his departure, Katz said he has no immediate business plans. He and Mrs. Katz arrived here from the Coast a few days ago.

House Probers Set Oklahoma City Meet

OKLAHOMA CITY, Oct. 7.—Former U. S. District Attorney Charles Dierker will testify before the House Small Business Committee here tomorrow in behalf of independent theatres. Dierker resigned the prosecutor's post last year to enter law practice. Reps. William Stevenson, Wisconsin, and Walter Ploeser, Missouri, will conduct the hearings.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
ROCKEFELLER CENTER
Greer Garson, Walter Pidgeon
in "JULIA MISBEHAVES"
Peter Elizabeth Cesar
LAWFORD - TAYLOR - ROMERO
A Metro-Goldwyn-Mayer Picture
SPECTACULAR STAGE PRESENTATION

Isn't It Romantic
A Paramount Picture
Starring
VERONICA LAKE - MONA FREEMAN
BILLY DE WOLFE - MARY HATCHER
IN PERSON
ERSKINE HAWKINS
And His Tuxedo Junction Orchestra
DELTA RHYTHM BOYS
SAVANNAH CHURCHILL
HOWELL & BOWSER
BUNNY BRIGGS
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

James Nasser Presents
FRED MacMURRAY
MADELEINE CARROLL
Released thru United Artists
"AN INNOCENT AFFAIR"
"Or Is It?"
RIVOLI B'way & 49th St.
Doors Open 9:30 A. M.

CAPITOL B'way & 51st St
— In Person —
HOWARD HAWKS'
RED RIVER
TONY & SALLY DeMARCO
BUCK & BUBBLES
NAT BRANDWYNNE and his Orch.
ROSE MARIE

VICTOR MATURE . RICHARD CONTE
"CRY OF THE CITY"
A 20th Century-Fox Picture
ON VARIETY STAGE—DANNY THOMAS
THE SHYRETTOS . MARIE McDONALD
ON ICE STAGE—"THE BLUE DANUBE"
Starring JOAN HYLDOFT
ROXY 7th Ave. & 50th St.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; Theatre Sales; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

Loop 'Pit,' 'Hamlet' Tilt to Bar Today

CHICAGO, Oct. 7.—A request for the extension of Loop playing time for "The Snake Pit" and "Hamlet," released by 20th-Fox and Universal-International, respectively, will be put before Judge Michael J. Igoe in U. S. District Court here tomorrow, when counsel for both companies will present arguments substantiating a petition filed this week.

Twentieth-Fox, represented by attorney Thomas Dodd Healy, will ask for an eight-week run for "Pit" in either the B. and K. Apollo or Garrick on the grounds that playing of the film will not interfere with the normal flow of product coming out of the Loop because both houses have been using mainly reissue and foreign product since the Chicago decree. "Pit," it will be argued, also has "a highly unusual theme," dealing with insanity and more suitable for exhibition in an intimate-type theatre.

"Hamlet," it will be said by U-I attorney Miles Seeley, is similar to its predecessor, "Henry V," released by UA, and is more marketable at a two-a-day showing, being unsuitable for neighborhood consumption. Film would probably play the RKO Grand.

Thomas McConnell, Jackson Park attorney, will oppose the companies.

Appoint Five Aides For Skouras Drive

Five company advertising-publicity representatives have been appointed to handle campaign promotions for each sales division in the Spyros P. Skouras 35th anniversary celebration, Charles Schlaifer, 20th Century-Fox's advertising-publicity director, announced here yesterday.

Serving in advisory capacities in general sales manager Andy W. Smith's home office cabinet are Rodney Bush, exploitation manager, advisor to the Eastern division; Stirling Silliphant, executive assistant to Schlaifer, Southern advisor; Christy Wilbert, advertising manager, advisor to the Central division; Sid Blumenstock, assistant exploitation manager, Western advisor, and Jonas Rosenfield, Jr., assistant advertising manager, advisor to the Canadian division.

To Pre-Release 'Miss Tatlock' in Four Spots

Paramount will pre-release "Miss Tatlock's Millions" in four keys prior to the film's national release on Nov. 19, it is announced by Charles M. Reagan, sales vice-president. First of the openings will be the Paramount Theatre, San Francisco, on Oct. 21, to be followed by the Paramount, Kansas City, Oct. 27; Radio City, Minneapolis, Oct. 29, and the Michigan, Detroit, Nov. 12.

3rd WB Stockholder Suit

Marking the third such action to be taken since Sept. 30 against the same plaintiffs, Warner minority stockholder Annie Fastenberg yesterday filed in U. S. District Court here a suit against United States Pictures, Warner Brothers, Joseph Bernhard, Robert W. Perkins, Milton Sperling, Harry M. Warner, Jack L. Warner and Morris Wolf, alleging conspiracy in behalf of United to the detriment of Warners. Suit asks for an accounting on a production-distribution deal made in 1945 between the two companies.

Reviews

"Smart Girls Don't Talk"

(Warner Brothers)

IN standard melodramatic fashion, "Smart Girls Don't Talk" tells the story of a girl who tries to crash into "big-time" gambling circles only to become the victim of her own misadventures. Virginia Mayo, a good name for exploitation purposes, plays her role in a straight dramatic manner, with an occasional overtone of pertness. Bruce Bennett and Richard Rober are the other principals. The picture generates an adequate measure of action and excitement but is weakened by hackneyed dialogue and routine situations.

Once Miss Mayo gets involved with gambling club proprietor Bennett, all sorts of complications develop, not the least of which are the difficulties which her brother, a young doctor, becomes embroiled in when he patches up a bullet wound in Bennett's shoulder. In order to silence the doctor, a gun-crazy thug kills him. Into the scene enters Rober of the homicide squad. After some preliminary probing, a neat little strategem is executed and all of the underworld characters are brought to justice. Several minor sub-plots of varying degrees of intensity pad out the screenplay.

Miss Mayo is always attractive, and Bennett has many sympathetic traits as the mastermind. Nightclub singer Helen Westcott delivers some pleasing numbers. Saul Elkins produced and Richard Bare directed, from the screenplay by William Sackheim.

Running time, 81 minutes. General audience classification.

M.H.

"Louisiana Story"

(Robert Flaherty-Lobert Films)

A POWERFUL and appealing story that contrasts the primitive life of a Cajun (Louisiana) family with the steam and steel of modern society is contributed by Robert Flaherty, noted producer of documentaries. "Louisiana Story" compares favorably with Flaherty's classic, "Nanook of the North," which is currently being reissued, and contains some of the most effective industrial sequences yet seen on the screen. Financed by an oil company—but with nary a trace of advertising in it—this picture tells of the mystifying search for oil, the overpowering brutality of the machinery used in drilling, and the material possessions that wealth from the oil brings. All of these things are recorded as they affect Flaherty's hero, a 12-year-old native of the Petit Anse Bayou in Louisiana. The whole story is there in the boy's face, sensitively caught by the cameras.

There are long poetic sequences in which the camera is focussed on the flora and fauna of the swamps—all breath-takingly lovely. High spot of the little drama in the film is the boy's fight with a huge alligator suspected of eating the lad's pet coon. A production of unquestionable beauty and classic proportions, it is designed for specialized rather than general audiences. But wherever Flaherty's name is known people will want to see this picture. The story was written by Mr. and Mrs. Flaherty, and Virgil Thomson wrote the score, which was performed by the Philadelphia Orchestra, Eugene Ormandy conducting.

Running time, 77 minutes. General audience classification. Current release.

"Hills of Home"

(Metro-Goldwyn-Mayer)

THE STORY of a devoted doctor of the Scottish highlands has been steeped in sentiment and mounted against a background of outdoor Technicolor beauty. Lassie, thrown in for a prominent part in the drama, provides another reason why the film should register quite favorably with the family trade. Edmund Gwenn, in the lead, gives an endearing characterization as the doctor on horseback whose humanity-loving impulses are matched only by his streaks of stubbornness. The outstanding quality of the picture is its simple charm and warmth, but the sophisticated film-goer is very likely to find the story's obviousness of situation and development a bar to full enjoyment.

Two main problems concern Gwenn in the original screenplay by William Ludwig. One is to train Lassie, a dog he picked up in a trade, to overcome a fear of water. The other is to develop young Tom Drake as a good doctor. The only trouble is that Drake's father hates medicine and will not allow his son to go to school. It takes a stroke of near-tragedy to persuade the father to change his mind. As for Lassie, a crisis brings him out of his fear of water. One day when Gwenn is called out in a raging storm, he is knocked unconscious and Lassie bounds off on a mission for help.

Somehow out of tune with the mood of the picture is a long and lugubrious funeral procession that marks the final rites for the good doctor. Other characterizations are provided by Donald Crisp, a townsman, and Janet Leigh, around whom a slight romance is woven with Drake. Robert Sisk produced, Fred M. Wilcox directed.

Running time, 97 minutes. General audience classification. For December release.

M.H.

Wm. P. Bernfield Rites

LOS ANGELES, Oct. 7.—Funeral services were held here today at Groman's Mortuary Chapel for William P. Bernfield, 51, veteran showman and Los Angeles Film Row representative of Quigley Publications, who died Wednesday morning. Interment was at Mount Olive Memorial Park.

Seligman Services Today

Funeral services for Al Seligman, industry veteran and former member of Columbia's short subjects department, will be held today at Riverside Chapel here. He is survived by the widow, Bella; a son, Maxwell; a sister, Mrs. Mary Brandt, and two brothers, Max and Leo.

Open 2-Day Session On U.S. Information

WASHINGTON, Oct. 7.—The Government's role in spreading information abroad should remain supplemental to that of private industry and limited to fields which private industry cannot enter, Assistant Secretary of State Allen told the opening session today of the State Department's advisory commission on information. The five-man commission, which is charged with advising the Department on overseas information, is holding a two-day session.

Asserting that the pendulum is swinging back and forth, with people who once advocated getting the Government out of information now asking the Government to do more and more, Allen declared that the point has not yet been reached where the Government should have to assume the entire responsibility. "I hope it never does," he added.

He estimated that in France about 10 per cent of the information the French have about the U. S. is from our Government's program, while the balance is from private sources such as films, magazines and newspapers.

Calls Films Force For Understanding

American films were described as the most potent means of creating understanding of the U. S. abroad by Loy Henderson, Ambassador-Designate to India, at a meeting here yesterday at the offices of the Motion Picture Association of America.

The Ambassador, who discussed with film company foreign department executives their problems in India, said that it is to our interest to keep the world informed of our way of life through motion pictures. He spoke at the invitation of John G. McCarthy, associate managing director of MPAA's international division.

American Tobacco To Sponsor Video Series

LOS ANGELES, Oct. 7.—Finalization of a deal is due here under which American Tobacco Co. will become the first commercial sponsor of a full film series made specifically for television, according to N. W. Ayer and Son, advertising representative for the tobacco firm. It will consist of a series of 26 films based on "The World's Greatest Novels," is expected to cost about $900,000 and will be launched on Jan. 4 on the NBC network.

F.C.C. Opens Talks on Radio Frequencies

WASHINGTON, Oct. 7.—The Federal Communications Commission has opened lengthy, crowded hearings on its proposals for distribution of various mobile and industrial radio frequencies and its rules for governing those frequencies.

Twentieth Century-Fox and the Academy Research Council representatives are slated to appear to urge a separate frequency for on-location radio use.

ABC Video Affiliate

Don Lee television station KTSL, Los Angeles, has become an affiliate of American Broadcasting.

$50-Million in UK Pictures to Canada

MONTREAL, Oct. 7.—British films representing a cost of $50,000,000 will be shown in Canada during 1948-49, according to Frank H. Fisher, general manager of Eagle-Lion in Canada.

Fisher said from 25 to 35 per cent of Canadian theatre-goers prefer British-made films, with the percentage higher in larger urban areas, based on a survey which, he claimed, showed "the most satisfactory gross revenues which a Canadian theatre can now produce on a 12-month basis are to be secured by a judicious blending of London-made and American film entertainment."

Another indication of the status of the British-made film in Canada, it was said, is the expanded theatre construction program which is taking place now under the sponsorship of British film firms. Odeon has a vast building program lined up as well as many new theatres already completed throughout the Dominion. Odeon is the exhibition subsidiary of the J. Arthur Rank organization.

Industry in Turkey Is In a Bad Way

ISTANBUL, Sept. 29 (By Airmail).—Prospects for the new season, which begins at the end of this month, are not bright. Contrary to previous seasons, very few films are being promoted by importers. The industry has slowed down considerably. Cinema owners do not make half of what they made a year ago and that condition has frightened off importers.

Meanwhile the central government has relinquished the collection of cinema taxes to municipal governments.

16mm. Showings on Increase in Mexico

WASHINGTON, Oct. 7.—Exhibition of 16mm. entertainment films is spreading like wild-fire in Mexico, according to the U. S. Commerce Department. A report by film chief Nathan D. Golden declares that Mexican producers are reducing all 35mm. productions to 16mm. as well.

U. S. companies supply about 70 per cent of all 16mm. films shown in Mexico, with 20 per cent Mexican and the rest from other countries. Mexican films, however, account for about 60 per cent of the 16mm. screen time.

$2.40 for 'Red Shoes'

First New York showing of Eagle-Lion's "The Red Shoes" has been set for Thursday, Oct. 21, at the Bijou Theatre where the picture will be shown twice daily with all seats reserved at prices ranging from $1.20 to $2.40, it was announced by Maurice Maurer, managing director of the Bijou, and William J. Heineman, E-L's sales vice-president.

The premiere will be sponsored by the Soldiers', Sailors' and Airmen's Club.

Lighting Ban Spreads

OTTAWA, Oct. 7.—S. W. Canniff, manager of the Ottawa Hydro-Electric Commission, reports power-savings regulations banning lighting of outdoor electric signs and other lighting restrictions in Ontario will be applied here.

Myrick Urges Film Displays at Fairs

Eldora, Ia., Oct. 7. — Industry sponsorship of displays at local, county, district and state fairs held every summer and fall throughout the country has been suggested by Al C. Myrick, president of Allied Independent Theatre Owners of Iowa-Nebraska.

Citing the success which has greeted radio industry displays at various fairs, Myrick proposes that film industry displays could contain model sets and cameras, costumes, pictures, film, projectors, air-conditioning units, display advertising, giveaways.

Transatlantic Will Make 6 in 3 Years

Transatlantic Pictures' production schedule for the next three years calls for six pictures, all in Technicolor, the company's partners, Alfred Hitchcock and Sidney Bernstein, disclosed yesterday through spokesmen here. One of the films, "Under Capricorn," is nearing completion in London and Hollywood. Directed by Hitchcock, it stars Ingrid Bergman and Joseph Cotten.

Others to be directed by Hitchcock include "I Confess," which will go before the cameras in December in Canada and Hollywood; "Dark Duty," and "The Spider and the Fly." "Under Capricorn" and "I Confess" will be released by Warner. Transatlantic product to be made during the period by directors other than Hitchcock are: "Jack Sheppard" and "Lorna Doone."

Hitchcock is under long-term contract to Transatlantic and plans to alternate direction of that company's pictures with those of outside companies. At least four such outside Hitchcock-directed pictures will be for Warner release under a contract negotiated recently.

E-K Output Up 150% In U. K. in 10 Years

ROCHESTER, N. Y., Oct. 7. — Production increase of 150 per cent in the past 10 years, with an increase of 50 per cent in personnel, by Kodak, Ltd., Eastman Kodak's English subsidiary, is reported by Ernest Amor, manager of Eastman's Harrow Works in England, through the company's main office here.

Lopert Acquires Two

Jean-Paul Sartre's "The Chips Are Down," adapted by the French author from his novel, "Les Jeux Sont Faits," and Robert Flaherty's "The Louisiana Story" have been acquired by Lopert Films for distribution in this country. The Sartre film is to open at the Bijou Theatre here next month.

Business by Barter

MEXICO CITY, Oct. 7.—Radio, too, is feeling the pinch of the local depression. Most small stations here are accepting merchandise instead of cash from their clients and are accumulating so much that they plan to stage auction programs for the first time in Mexico.

Lockwood to Rank

(*Continued from page* 1)

the latter declared: "There can be no peace or understanding between American and British industries until our films receive reasonable playing time in the United States."

"The inference is rather obvious," Lockwood said. "Rank suggests that his product and that of British films in general has received unfair treatment. He suggests terms of a warfare which, if they exist, did not originate here. His inferences, I think, must be challenged."

Speaking at his first formal news conference since election to the top TOA post, Lockwood declared that Rank's and other product from abroad will be exhibited here in accordance with its merit as entertainment. "There will be playing time, and ample playing time, for any foreign film which meets the American public's standards," he insisted. He said he knows of no instance in which an exhibitor here has refused a British film simply because of its origin.

In accordance with a resolution adopted at the recent Chicago convention of the TOA, Lockwood said that the organization is now sending inquiries to film companies on whether they intend to sell 35mm. theatrical films to television stations.

Commenting on United Artists' announcement that it will distribute films for video, Lockwood said that TOA probably will endeavor to convince U. A. and others with similar plans that they are "on the wrong track." He cited as one case detrimental to exhibition the televising of Alexander Korda re-issues.

Levy and Sullivan At Tri-States Meet

MEMPHIS, Oct. 7.—Orris Collins, president of the Tri-States Theatre Owners, reports that at the annual Tri-State convention, to be held at the Hotel Chisca, Memphis, on Oct. 25-26, speakers will will include Herman Levy, general counsel of the TOA; Gael Sullivan, TOA executive director; Ted Gamble, chairman of the TOA board; Andy Smith, 20th-Fox; Robert Mochrie, RKO Radio; H. M. Richey, M-G-M; Sam Shain, 20th-Fox; Earl J. Hudson of Detroit and TOA public relations committeeman.

ATOI's 22nd Annual Meet Opens Nov. 10

INDIANAPOLIS, Oct. 7.—Twenty-second annual fall convention of the Associated Theatre Owners of Indiana will be held on Nov. 10-11 at the Hotel Antlers here.

Speakers will include Abram F. Myers, Allied States general counsel; William Ainsworth, national Allied president, and Charles Niles, Allied's national secretary.

Pa. Unit Hits Taxes

(*Continued from page* 1)

Pennsylvania here today. A copy of the resolution was sent to each member of the Commonwealth.

Abram F. Myers, general counsel for Allied States, was the principal speaker at the session, devoting two hours to national exhibition problems and relations with distributors and answering questions in an open forum.

Morris Finkel, president of the unit, announced that its annual convention will be held at the William Penn Hotel here on Feb. 21-22.

Status of U. S. Firms In Holland Confused

By PHILIP DE SCHAAP

AMSTERDAM, Sept. 29 (By Airmail).—The situation regarding the position of American companies here is confused and somewhat embarrassing.

Some time ago, the majors decided to split up and to open their own offices. This effort, however, was thwarted by the Court of Appeal in the Committee for New Business, a trade organization of the Nederlandse Bioscoop Bond.

Paramount has announced that its product will be released here by Hans S. Boekman, manager of Filmtrust, Amsterdam, an independent distributor. United Artists has signed with N. V. Filmverhuurkantoor Nederland. Columbia has made a deal with the independent Europo Film N. V. Until the question of Universal-International's membership in the Bioscoop Bond is settled the other majors, M-G-M, 20th-Fox, Warners and RKO Radio, will continue to release under the Motion Picture Export Association banner. As of Sept. 3, however, they started to sell their product separately and under their own, individual management. This situation is provisional and a definite solution is expected soon.

New B. & K. House Planned for Loop

CHICAGO, Oct. 7.—Construction plans for the first new Loop theatre in over 20 years to be operated by Balaban and Katz, were announced here today. The new project, to be called the Paramount, will seat 2,500, will cost $2,500,000 and will be the first in Chicago to have escalators. The theatre will take the place of the B. and K. Apollo which will be razed to make way for a bus terminal. B. and K. paid approximately $726,750 for the entire site, according to Morris Leonard.

Apparently because the new house is a replacement and does not represent actual expansion by the Paramount-owned circuit, legal obstacles stemming from the anti-trust case against the distributors are not expected.

Flay Film Quality

(*Continued from page* 1)

out that the problem would be presented at the national Allied convention in New Orleans in December for further action.

Lauritz Garman, president of Motion Picture Theatre Owners of Maryland, and the entire Maryland MPTO board were host to the visiting delegates at the conclusion of the meeting.

Among those attending were Wilbur Snaper, Irving Dollinger, Edward Lachman, Harry Lowenstein, Harry Unger and Sid Stern, all of New Jersey, and Frank Lydon, Massachusetts; Abe Bookspam, Connecticut, and Sidney Samuelson, Eastern Pennsylvania.

New Foreign Distributor

NEW HAVEN, Oct. 7.—Continental Films, new distributing firm for foreign pictures, has established headquarters here to cover Connecticut, Massachusetts and Rhode Island, Allan Stewart, sales manager, announces. Norton M. Levine, New Haven attorney formerly associated with Phillips, Nizer, Benjamin and Krim, in New York, is president of Continental.



Jeweled Promises

About a year ago now your editor went out quite a distance in anticipatory enthusiasm about what he called "Golden Shadows," consisting of an array of titles in one studio's product announcement.

Happily enough the forecast was made good with the remarkable record of ten Boxoffice Champion ratings in the first six months of this year, and spread evenly over the period. That is the Twentieth Century-Fox record, as perhaps you will be knowing.

Now they come luring again, spreading before these interested eyes another array: "Walls Of Jericho," "Lady In Ermine," "The Luck Of The Irish," "Cry Of The City," "Apartment For Peggy," "Road House," "Yellow Sky," "When My Baby Smiles At Me," "Unfaithfully Yours" and "The Snake Pit."

It is to be noted, the list runs the long gamut of diversified themes of dramatic entertainment, and no two alike. The sensation is like trickling the contents of a jewel box through exploring fingers. They are promises, now—jeweled promises.

TERRY RAMSAYE . . . *Motion Picture Herald, July 24, 1948*

P.S. Terry—The entire industry shares your enthusiasm for these Jeweled Promises—which the entire industry will be playing during the Spyros P. Skouras 35th Anniversary Celebration, September 26 to December 25, inclusive. We've taken the next 11 pages to present boxoffice facts about Jeweled Promises!

20th's Newest Boxoffice Champion!

Acclaimed M.P. Herald Boxoffice Champion for August... And a Variety Scoreboard Hit!



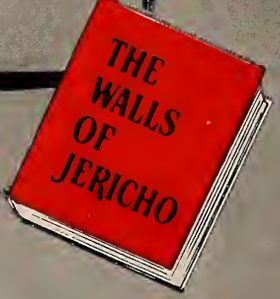




THE WALLS OF JERICHO

CORNEL WILDE
LINDA DARNELL
ANNE BAXTER
KIRK DOUGLAS





with

ANN DVORAK

Marjorie Rambeau · Henry Hull

Colleen Townsend · Barton MacLane · Griff Barnett · William Tracy · Art Baker

Directed by JOHN M. STAHL · Produced by LAMAR TROTTI · Screen Play by Lamar Trotti · Based on the Novel by Paul Wellman

Betty GRABLE · Douglas FAIRBANKS, Jr.

That LADY IN ERMINE

COLOR BY TECHNICOLOR

CESAR ROMERO · WALTER ABEL · REGINALD GARDINER

HARRY DAVENPORT · VIRGINIA CAMPBELL · WHIT BISSELL

20th CENTURY-FOX

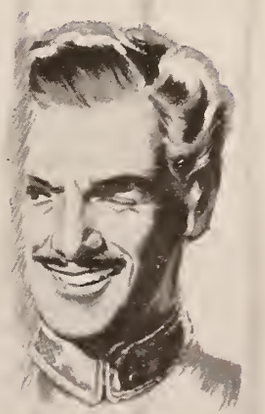
That "STAR MONTH" Sparkle...that "BIG LOOK" in Technicolor Musicals . . . that "BIG-BUSINESS LOOK" for your boxoffice!

Produced and Directed by

ERNST LUBITSCH

Screen Play by Samson Raphaelson
Lyrics and Music by Leo Robin and Frederick Hollander
Dances Staged by Hermes Pan





20th CENTURY-FOX

It's a great day  for the Boxoffice!  Showmen everywhere are saying,  "You can't beat The Luck of The Irish!"

TYRONE POWER

ANNE BAXTER



THE LUCK OF THE IRISH

Here's Happy-Go-Lucky Horace . . . He'll change your luck . . . and your life!



with

CECIL KELLAWAY

LEE J. COBB

Directed by
HENRY KOSTER

Produced by
FRED KOHLMAR

James Todd · Jayne Meadows · J. M. Kerrigan · Phil Brown · Charles Irwin

Screen Play by Philip Dunne · Based on a Novel by Guy and Constance Jones


20th CENTURY-FOX
The sounds...the heartbeat...
the cry of the city...every
pulsating ingredient pointing
to boxoffice championship!
CRY OF THE CITY
starring
VICTOR MATURE
RICHARD CONTE
with
Fred Clark • Shelley Winters • Betty Garde
Berry Kroeger • Tommy Cook • Debra Paget
Hope Emerson • Roland Winters • Walter Baldwin
Screen Play by Richard Murphy
From a Novel by Henry Edward Helseth
Directed by
ROBERT SIODMAK
Produced by
SOL C. SIEGEL

20th CENTURY-FOX

The man behind the "Miracle on 34th Street" meets the miracle that's Peggy... in the picture that gives your heart a new lease on life!



JEANNE CRAIN · WILLIAM HOLDEN

and EDMUND GWENN

APARTMENT for Peggy

COLOR BY TECHNICOLOR



with GENE LOCKHART · GRIFF BARNETT · RANDY STUART

Directed and Written for the Screen by **GEORGE SEATON**

Produced by **WILLIAM PERLBERG**

From a Story by Faith Baldwin



20th CENTURY-FOX

THERE IS NOTHING LIKE A WOMAN TO COME BETWEEN MEN!

Nothing like these 4 stars in a story like "Road House" for outstanding boxoffice!

ROAD HOUSE

Ida LUPINO

Cornel WILDE

Celeste HOLM

Richard WIDMARK

with O. Z. WHITEHEAD · ROBERT KARNES · GEORGE BERANGER · IAN MacDONALD · GRANDON RHODES

Directed by
JEAN NEGULESCO

Produced by
EDWARD CHODOROV

Screen Play by Edward Chodorov
Story by Margaret Gruen and Oscar Saul

20th CENTURY-FOX

Mr. and Mrs. Show Business
in the hit that puts "Thanks"
in Thanksgiving!



BETTY
GRABLE

DAN
DAILEY

When My Baby Smiles At Me

with

JACK OAKIE • JUNE HAVOC • RICHARD ARLEN • JAMES GLEASON

COLOR BY
TECHNICOLOR

Directed by WALTER LANG • Produced by GEORGE JESSEL

Screen Play by LAMAR TROTTI • Adaptation by Elizabeth Reinhardt • Fram the Play by George Manker Watters and Arthur Hopkins • Lyrics and Music: "By The Way," "What Did I Da?" by Mack Gordan and Jasef Myrow • Dances Staged by Seymaur Felix and Kenny Williams

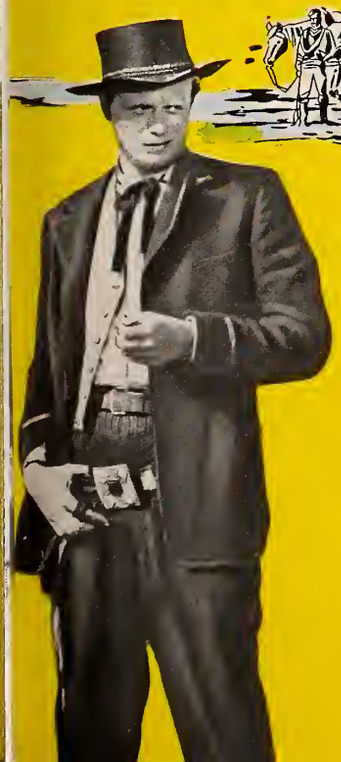
Gregory Peck

Anne Baxter

Richard Widmark

YELLOW SKY





Robert Arthur · John Russell
Henry Morgan · James Barton
Charles Kemper

Directed by
WILLIAM A. WELLMAN

Produced by
LAMAR TROTTI

Screenplay by Lamar Trotti
Based on a story by W. R. Burnett

20th CENTURY-FOX

3 great stars in a picture with every asset a great attraction can have! . . . Set it now for your biggest holiday date!





20th CENTURY-FOX

Timed to bring you your happiest holiday season..... made for holiday grosses at any time!

REX HARRISON

LINDA DARNELL

RUDY VALLEE

BARBARA LAWRENCE







Unfaithfully Yours



with

KURT KREUGER

LIONEL STANDER

An Original Screen Play Written, Directed and Produced by PRESTON STURGES

20th CENTURY-FOX

1948's Most Important Date!

WORLD PREMIERE, NOVEMBER 4th

New York City



Darryl F. Zanuck

presents

OLIVIA de HAVILLAND

the Snake Pit



also starring **MARK STEVENS** and **LEO GENN**

with **CELESTE HOLM** • **GLENN LANGAN**

and Helen Craig • Leif Erickson • Beulah Bondi • Lee Patrick • Howard Freeman
Natalie Schafer • Ruth Donnelly • Katherine Locke • Frank Conroy • Minna Gombell

Directed by **ANATOLE LITVAK** • Produced by **ANATOLE LITVAK** and **ROBERT BASSLER**

Screen Play by Frank Partos and Millen Brand • Based on the Novel by Mary Jane Ward

The record to date in '48!

GENTLEMAN'S AGREEMENT	M.P.H.	V	B'B*
DAISY KENYON	M.P.H.		B'B
GIVE MY REGARDS TO BROADWAY *Technicolor*		V	B'B
CALL NORTHSIDE 777	M.P.H.	V	B'B*
THE IRON CURTAIN	M.P.H.	V	B'B
CAPTAIN FROM CASTILE *Technicolor*	M.P.H.	V	B'B*
SITTING PRETTY	M.P.H.	V	B'B*
GREEN GRASS OF WYOMING *Technicolor*	M.P.H.	V	B'B
ANNA KARENINA*			B'B
FURY AT FURNACE CREEK			B'B
SCUDDA-HOO! SCUDDA-HAY! *Technicolor*			B'B
AN IDEAL HUSBAND* *Technicolor*			B'B
YOU WERE MEANT FOR ME		V	B'B
DEEP WATERS			B'B
THE STREET WITH NO NAME	M.P.H.	V	B'B

M.P.H. *Motion Picture Herald Boxoffice Champion* V *Variety Scoreboard Hit*

B'B* *Boxoffice Barometer Top Hit* B'B *Boxoffice Barometer Hit* * *Alexander Korda Production*

Proven champions and jeweled promises...outstanding achievements available for dating now for the

SPYROS P. SKOURAS 35th ANNIVERSARY CELEBRATION SEPT. 26 to DEC. 25, INCLUSIVE!

20th CENTURY-FOX

PRINTED IN U.S.A.

E-L Sales Meeting In N. Y. Tomorrow

Eagle-Lion division, district and branch managers will meet with home office officials in a one-day round table conference at the Hotel Warwick here tomorrow.

Representing the home office will be William J. Heineman, distribution vice-president; Max E. Youngstein, advertising vice-president; L. J. Schlaifer, assistant to Heineman; Frank Soule, manager of branch operations; Manny Goodman, manager of the playdate department; Joe Sugar, manager of the contract department; Jack Bellman, New York City circuit sales manager; Murray Kaplan, contract analyst, and Fred Stein, sales representative.

Present also will be the following sales managers: Milton Cohen, Eastern division; Herman Beiersdorf, Southwestern; Tom Donaldson, New England; Edward Heiber, Chicago; Grover Parsons, Atlanta; Seymour Schussel, New York, and John Leo, San Francisco.

Branch managers attending will include Harry Berman, Philadelphia; Harris Dudelson, Cincinnati; James Hendel, Pittsburgh; Harold Keeter, Charlotte; Robert Richardson, Cleveland; Fred Rohrs, Washington; Harry Segal, Boston; Lou Wechsler, New York.

'Stars' Committee Will Meet Today

First meeting of the producing committee for the 15th annual "Night of Stars" will be held here today in the Paramount Theatre board room and to be presided over by Robert M. Weitman, committee chairman. The benefit for the United Jewish Appeal of Greater New York will be held on Nov. 15 at Madison Square Garden.

Among those expected at the meeting are co-chairmen Marvin H. Schenck, Ed Sullivan and Arthur Knorr, vice-chairman Max Wolff, and 20 committee members.

Para. Club Affair Is Set for Tonight

A half-hour television fashion show built around the theme, "A Star Is Born" in tribute to Paramount starlet Wanda Hendrix will highlight the dinner-dance of Paramount Pictures Club tonight in the Waldorf-Astoria here. Monroe Goodman is president of the club.

Station WPIX will telecast the show as staged by Ann Shaw of Air-France, Harvey Marlowe of WPIX, and Jeraldine Cooper of Paramount's exploitation department.

New Buying Combine Is Started in N. Y.

A new buying and booking combine has been started here by Frank Moscato to service independent theatres in the Metropolitan area, with headquarters in the Film Center Building. Moscato resigned recently after a long executive association with Island Theatres.

New Portable Projector

CHICAGO, Oct. 7. — A new lightweight portable 16mm. sound projector, set in one case which combines projector, sound unit and speaker, has been announced by Ampro Corp., to be known as the "Ampro Compact."

Reviews

"Kidnapped"

(*Monogram*)

ROBERT LOUIS STEVENSON'S immortal novel once again is adapted to the screen, this time as a Lindsley Parsons production, under Monogram's banner. All of the swashbuckling and lusty quality of the novel has been captured in the film, a picture of general appeal, and one that should enjoy special favor with juveniles.

Roddy McDowall has the lead as David Balfour, the orphaned Scottish lad who went to Edinburgh in 1751 to claim his inheritance but is kidnapped and is put through a series of harrowing adventures. Ensuing episodes are splashed with action, involving a sea voyage, pirates and intrigue, all punctuated with recurrent clashes of swords and thunder of blunderbusses. Sue England has the slight romantic role as the inn-keeper's daughter who falls in love with David, shares some of his adventures, and eventually marries him. As the miserly, conniving Uncle Ebenezer, who launches David on his rounds of hardships, Houseley Stevenson gives a convincing characterization. Daniel O'Herlihy cuts a dashing figure as the gentleman-rebel who befriends David.

The film has been given resourceful production treatment by Parsons. William Beaudine directed, from a screenplay by W. Scott Darling. McDowall and Ace Herman were associate producers.

Running time, 81 minutes. General audience classification. Release date, Dec. 1. M.H.

"Sinister Journey"

(*United Artists*)

HOPALONG CASSIDY'S legion of followers will find all that is desired in his type of performance, in "Sinister Journey," aided and abetted by the amusing contribution of William (Hopalong) Boyd's sidekick, California (Andy Clyde). The outdoor action is thrilling, giving many exciting and suspenseful twists, with the highly experienced Western-star Boyd moving swiftly to track down the culprit.

The story concerns a railroad owner who requests Boyd to help him solve a problem, the owner suspecting his son-in-law of attempting to ruin him financially by causing train wrecks. The son-in-law, in turn, believes that the owner is trying to have him fired because the latter does not approve of his marriage to the owner's daughter. Boyd and Clyde take jobs on the railroad to study the situation, and Boyd finds that the son-in-law is innocent, bringing the real criminal to justice. Lewis J. Rachmil produced and George Archainbaud directed. The J. Benton Cheney, Bennett Cohen and Ande Lamb screenplay is based on characters created by Clarence E. Mulford.

Running time, 54 minutes. General audience classification. Release date, not set.

"Rogues' Regiment"

(*Universal-International*)

THE arresting feature about this otherwise routine action-adventure drama is the presence of a fetching newcomer, Marta Toren, a sultry miss who acquits herself very nicely as an actress and who also puts a lot of meaning into her singing. Playing opposite Dick Powell, Miss Toren uses her seductive charm as a French spy disguised as a cafe vocalist in an Indo-China settlement. Powell, a U. S. intelligence agent, incognito, arrives at the settlement to join the French Foreign Legion whose ranks have become bloated with former members of Hitler's defunct army. Powell is looking for a Nazi big-wig, a former Elite Guard chief who was condemned to the gallows at Nuremberg in absentia. The Nazi is there allright, himself a soldier in the Legion.

Producer-scripter Robert Buckner has taken a standard Western plot and merely switched settings, costumes, etc., substituting jeeps for horses to come up with an uninspired piece wherein villains are villains and heroes are heroes, and justice triumphs in full glory after the smoke of intrigue and struggle lifts. At best it is a moderately entertaining vicarious adventure, not without touches of suspense but for the most part completely transparent. Powell functions rather automatically in his role, and so does Stephen McNally as the hunted Nazi. Vincent Price, who portrays the part of a guttural-accented German merchant of evil designs, has been seen to better advantage. The rest of the cast includes Edgar Barrier, Henry Rowland, Carol Thurston, James Millican, Richard Loo, Kenny Washington, Richard Fraser, and several others. Robert Florey, who directed, collaborated with Buckner on the original story.

Running time, 86 minutes. General audience classification. For October release. CHARLES L. FRANKE

'Huskies' Tour U. S. For 'Secret Land'

A traveling unit with eight dogs, descendants of the original "huskies" appearing in M-G-M's "The Secret Land," has embarked on a nationwide tour of 50 cities. The stunt is under the general supervision of Howard Dietz, M-G-M advertising-publicity vice-president.

William R. Ferguson of M-G-M is directing the tour, while exploiteer Elliott Foreman has been assigned as advance man.

Leonard Joins Astor

Charles J. Leonard, formerly associated with Columbia in New Haven and Charlotte and until recently with Warner in the latter city, has joined the Astor Pictures exchange in Charlotte as assistant to Max Holder, sales manager.

Utah Theatre Destroyed

SALT LAKE CITY, Oct. 7.—The Angelus Theatre in Spanish Fork, Utah, was burned in a four-hour fire that destroyed the town.

Short Subjects

"Battle for Germany"

(*March of Time-20th-Fox*)

With the critical situation in Berlin occupying the world spotlight, no more timelier subject than this could be made. Highlights of the crisis are shown as well as many exclusive pictures. The subject provides a good overall appraisal of the situation as well as some helpful interpretations. It uses the technique of picking a particular German family and showing them in the activities of a routine day. The commentary on the soundtrack is done in the usual portentous manner. Running time, 18 minutes.

"Friend of the Family"

(*This Is America—RKO Pathe*)

The story of America's pets is told in this appealing and informative subject which is likely to touch a responsive chord in millions of pet enthusiasts. As the subject points out, the industry which deals in dogs, cats, canaries, tropical fish, etc., is a $1,000,000,000 one. An interesting array of facts are brought out—there are 50,000,000 pets in the country, 10,000 pet shops; that some myriad-colored minnows cost as much as $250 each, etc. Running time, 17 minutes.

"This Way to Nursing"

(*Emerson Yorke*)

An inspirational nurse recruitment subject, "This Way to Nursing" dramatically examines the duties and delights of student nurses at an accredited school of nursing. A musical score by Solita Palmer and a commentary by Milton Cross add to the effectiveness of the two-reel subject.

Available in 16 and 35mm., the film has the endorsement of the United States Public Health Service and several other organizations. It is available free to theatres through state boards of health and local nursing groups. Running time, 20 minutes.

Sherman Westerns in English and Spanish

HOLLYWOOD, Oct. 7.—The projected moderate-budgeted Hashknife Western series augmenting Harry Sherman's production slate of action films will be shot simultaneously in English and Spanish. Sherman is inaugurating the move due to the popularity of Westerns in Mexico and the other 23 nations of the Latin-American market.

M-G-M Buys RKO Script

HOLLYWOOD, Oct. 7. — Purchase of the script of "Battleground," cancelled by Howard Hughes when he took over RKO Radio, has been consummated by M-G-M. Dore Schary, who is now M-G-M production chief, had bought the story and supervised its preparation while he was RKO production head.

Omaha Film Row Change

OMAHA, Oct. 7.—Nate Galbreath has resigned as Universal-International salesman here due to illness. Gerry McAuliffe replaces Phyliss Otto at United Artists; Paul Back is a new RKO Radio salesman, and Kenneth Weldon is a new Monogram salesman.

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondens. Estimates omit admission tax.*

LOS ANGELES

"Apartment for Peggy" and "One Touch of Venus" were newcomers beating house averages in a rather quiet week monopolized by holdovers and reissues, a few of which performed well. Weather was okay, and counter-attractions were normal. Estimated receipts for the week ended Oct. 6:

APARTMENT FOR PEGGY (20th-Fox) and THE CREEPER (20th-Fox-Reliance)—CHINESE (2,300) (50c-60c-85c-$1.00) 6 days. Gross: $13,500. (Average: $13,000)

APARTMENT FOR PEGGY (20th-Fox) and THE CREEPER (20th-Fox-Reliance)—LOEW'S STATE (2,500) (50c-60c-85c-$1.00) 6 days. Gross: $22,500. (Average: $19,800)

APARTMENT FOR PEGGY (20th-Fox) and THE CREEPER (20th-Fox-Reliance)—LOYOLA (1,265) (50c-60c-85c-$1.00) 6 days. Gross: $10,000. (Average: $10,000)

APARTMENT FOR PEGGY (20th-Fox) and THE CREEPER (20th-Fox-Reliance)—UPTOWN (1,716) (50c-60c-85c-$1.00) 6 days. Gross: $10,500. (Average: $10,000)

BRING 'EM BACK ALIVE (RKO Radio—Re-release) and DESIGN FOR DEATH (RKO Radio)—BELMONT (1,600) (50c-60c-85c-$1.00) 6 days. Gross: $5,000. (Average: $5,750)

BRING 'EM BACK ALIVE (RKO Radio—Re-release) and DESIGN FOR DEATH (RKO Radio)—EL REY (861) (50c-60c-85c-$1.00) 6 days. Gross: $5,500. (Average: $4,700)

BRING 'EM BACK ALIVE (RKO Radio—Re-release) and DESIGN FOR DEATH (RKO Radio)—ORPHEUM (2,210) (50c-60c-85c-$1.00). 6 days. Gross: $17,000. (Average: $14,650)

BRING 'EM BACK ALIVE (RKO Radio—Re-release) and DESIGN FOR DEATH (RKO Radio)—VOGUE (800) (50c-60c-85c-$1.00). 6 days. Gross: $6,000. (Average: $6,500)

INTERMEZZO (SRO — Re-release) and THE CRUSADES (Para — Re-release)—CARTHAY CIRCLE (1,516) (50c-60c-85c-$1.00). 6 days. Gross: $9,000. (Average: $9,500)

INTERMEZZO (SRO — Re-release) and THE CRUSADES (Para. — Re-release)—PALACE (1,237) (50c-60c-85c-$1.00). 6 days. Gross: $10,000. (Average: $15,000)

ONE TOUCH OF VENUS (U-I) and CLOSE-UP (E-L-Marathon)—GUILD (965) (50c-60c-85c-$1.00). Gross: $6,300. (Average: $5,450)

ONE TOUCH OF VENUS (U-I) and CLOSE-UP (E-L-Marathon) — IRIS (708) (50c-60c-85c-$1.00). Gross: $7,200. (Average: $6,100)

ONE TOUCH OF VENUS (U-I) and CLOSE-UP (E-L-Marathon)—RITZ (1,376) (50c-60c-85c-$1.00). Gross: $10,000. (Average: $9,050)

ONE TOUCH OF VENUS (U-I) and CLOSE-UP (E-L-Marathon) — STUDIO (880) (50c-60c-85c-$1.00). Gross: $7,300. (Average: $6,300)

ONE TOUCH OF VENUS (U-I)- and CLOSE-UP (E-L-Marathon) — UNITED ARTISTS (2,100) (50c-60c-85c-$1.00). Gross: $10,500. (Average: $9,580)

RACHEL AND THE STRANGER (RKO Radio) and TRIPLE THREAT (Col.)—HILLSTREET (2,700) (50c-60c-80c-$1.00) 2nd week. Gross: $17,000. (Average: $18,950)

RACHEL AND THE STRANGER (RKO Radio) and TRIPLE THREAT (Col.)—PANTAGES (2,000) (50c-60c-80c-$1.00) 2nd week. Gross: $15,000. (Average: $17,150)

ROPE (WB)—WARNERS (Downtown) (3,400) (50c-60c-80c-$1.00) 2nd week. Gross: $15,000. (Average: $13,730)

ROPE (WB)—WARNERS (Hollywood) (3,000) (50c-60c-80c-$1.00) 2nd week. Gross: $11,000. (Average: $11,650)

ROPE (WB)—WARNERS (Wiltern) (2,300) (50c-60c-80c-$1.00) 2nd week. Gross: $11,000. (Average: $11,220)

SORRY, WRONG NUMBER (Para.) and SONS OF ADVENTURE (Rep.)—PARAMOUNT (Downtown) (3,595) (50c-60c-80c-$1.00) 2nd week. Gross: $20,500. (Average: $16,450)

SORRY, WRONG NUMBER (Para.)—PARAMOUNT (Hollywood) (1,407) (50c-60c-80c-$1.00) 2nd week. Gross: $13,500. (Average: $13,000)

SO THIS IS NEW YORK (UA)—MUSIC HALL (Beverly Hills) (900) (50c-60c-86c-$1.00) 5 days, 3rd week. Gross: $3,000. (Average: $3,150)

SO THIS IS NEW YORK (UA)—MUSIC HALL (Downtown) (900) (50c-60c-85c-$1.00) 5 days, 3rd week. Gross: $5,000. (Average: $7,500)

SO THIS IS NEW YORK (UA)—MUSIC HALL (Hawaii) (1,000) (50c-60c-85c-$1.00) 5 days, 3rd week. Gross: $2,000. (Average: $3,400)

SO THIS IS NEW YORK (UA)—MUSIC HALL (Hollywood) (490) (50c-60c-85c-$1.00) 5 days, 3rd week. Gross: $1,800. (Average: $3,100)

A SOUTHERN YANKEE (M-G-M) and UNDER CALIFORNIA SKIES (Rep.)—EGYPTIAN (1,000) (50c-60c-85c-$1.00) 2nd week. Gross: $8,500. (Average: $11,900)

A SOUTHERN YANKEE (M-G-M) and UNDER CALIFORNIA STARS (Rep.)—FOX-WILSHIRE (2,300) (50c-60c-85c-$1.00) 2nd week. Gross: $7,000. (Average: $12,850)

A SOUTHERN YANKEE (M-G-M) and UNDER CALIFORNIA STARS (Rep.)—LOS ANGELES (2,096) (50c-60c-85c-$1.00) 2nd week. Gross: $17,000. (Average: $18,100)

PHILADELPHIA

Five new bookings and strong holdovers provided the brightest grosses in some time. "Red River," opening at the Stanley, did a spectacular $42,000 and "Apartment for Peggy" was also warmly received, at the Fox. Estimated receipts for the week ended Oct. 5-7:

APARTMENT FOR PEGGY (20th-Fox)—FOX (3,000) (50c-60c-74c-80c-85c-94c). Gross: $27,500. (Average: $20,800)

GOOD SAM (RKO Radio)—KEITH (2,200) (50c-60c-74c-80c-85c-94c) 2nd run. Gross: $7,000. (Average: $6,200)

LARCENY (U-I)—KARLTON (1,000) (50c-60c-74c-80c-85c-94c) 3rd week. Gross: $6,000. (Average: $11,200)

LULU BELLE (Col.) and BODYGUARD (RKO Radio)—STANTON (1,000) (50c-60c-65c-78c-85c-90c-99c). Gross: $10,000. (Average: $11,200)

RACHEL AND THE STRANGER (RKO Radio)—EARLE (3,000) (50c-60c-65c-78c-85c-90c-99c). Gross: $25,500. (Average: $22,500)

RED RIVER (UA)—STANLEY (3,000) (50c-60c-65c-78c-85c-90c-99c). Gross: $42,000. (Average: $22,800)

ROPE (WB)—MASTBAUM (4,700) (50c-60c-65c-78c-85c-90c-99c) 3rd week. Gross: $15,800. (Average: $22,200)

THE SEARCH (M-G-M)—ALDINE (900) (50c-60c-65c-78c-85c-90c-99c) 2nd week. Gross: $12,000. (Average: $13,300)

SORRY, WRONG NUMBER (Para.)—GOLDMAN (1,400) (50c-60c-74c-80c-85c-94c) 2nd week. Gross: $24,500. (Average: $19,400)

TWO GUYS FROM TEXAS (WB)—ARCADIA (900) (50c-60c-65c-78c-85c-90c-99c) 2nd run. Gross: $4,000. (Average: $4,700)

VELVET TOUCH (RKO Radio)—BOYD (3,000) (50c-60c-65c-78c-85c-90c-99c). Gross: $20,000. (Average: $20,800)

CHICAGO

Despite generally good weather, business is sporadic. "Rope" is getting a big play among newcomers, attracting heavy evening trade. "Bring-'em Back Alive" is good, while among holdovers, the best are "A Date with Judy" and "Rachel." Others are weak. Estimated receipts for the week ended Oct. 7:

BEYOND GLORY (Para.)—CHICAGO (3,900) (50c-65c-98c). On stage: Liberace. Gross: $42,000. (Average: $53,500)

BRING 'EM BACK ALIVE (RKO Radio)—GRAND (1,150) (50c-65c-98c). Gross: $15,000. (Average: $11,500)

A DATE WITH JUDY (M-G-M)—ORIENTAL (3,300) (50c-98c). On stage: Louis Armstrong. Gross: $52,000. (Average: $45,000)

GOOD SAM (RKO Radio)—WOODS (1,080) (98c) 2nd week. Gross: $21,000. (Average: $23,000)

MOONRISE (Rep.)—UNITED ARTISTS (1,700) (50c-65c-98c) 5 days, 2nd week.

ESCAPE (20th-Fox) 2 days. Gross: $11,000. (Average: $20,000)

RACHEL AND THE STRANGER (RKO Radio)—PALACE (2,500) (50c-65c-98c) 5 days, 2nd week and **ONE TOUCH OF VENUS (U-I)** 2 days. Gross: $19,000. (Average: $21,000)

ROPE (WB)—STATE LAKE (2,700) (50c-65c-98c). Gross: $28,000. (Average: $25,000)

ROSE OF WASHINGTON SQUARE (20th-Fox) and SLAVE SHIP (20th-Fox)—APOLLO (1,200) (50c-65c-98c). Gross: $10,000. (Average: $12,000)

SMART GIRLS DON'T TALK (WB)—ROOSEVELT (1,500) (50c-65c-98c) 5 days, 2nd week **A SOUTHERN YANKEE (M-G-M)** 2 days. Gross: $10,000. (Average: $18,000)

WINGS OF THE MORNING (Capitol) and THE RAIDER (Capitol)—GARRICK (1,000) (50c-65c-85c). Gross: $8,000. (Average: $10,000)

BOSTON

The weather is cool. Holdovers are "Rope," "Two Guys from Texas," "Rachel and the Stranger," and "Hamlet." A parade of 60,000 children of the Catholic Youth Organization with over half a million watchers hit box offices. Estimates for the week ended Oct. 6:

THE BROTHERS (U-I) and STORM IN A TEACUP (UA)—EXETER (1,300) (40c-80c) 4 days. Gross: $2,450. (Average: $5,000)

FOUR FACES WEST (UA) and BAD SISTER (U-I) — RKO-BOSTON (3,200) (40c-80c) 1 day. Gross: $2,200.

GOOD SAM (RKO Radio) and WINNER'S CIRCLE (20th-Fox)—RKO MEMORIAL (3,000) (40c-80c). Gross: $22,000. (Average: $22,000)

HAMLET (U-I-Rank)—ASTOR (1,300) (90c-$2.40) 7th week. Gross: $16,000.

THE LOVES OF CARMEN (Col.) and RUSTY LEADS THE WAY (Col.)—STATE (3,500) (40c-80c). Gross: $14,750. (Average: $12,000)

THE LOVES OF CARMEN (Col.) and RUSTY LEADS THE WAY (Col.)—ORPHEUM (3,000) (40c-80c). Gross: $24,500. (Average: $27,000)

RACHEL AND THE STRANGER (RKO Radio) and TRAIN TO ALCATRAZ (Rep.)—RKO-BOSTON (3,200) (40c-80c) 6 days, 3rd week. Gross: $11,000.

ROPE (WB) and WINNER TAKE ALL (Mono.)—METROPOLITAN (4,367) (40c-80c) 2nd week. Gross: $22,000. (Average: $27,000)

TWO GUYS FROM TEXAS (WB) and SONS OF ADVENTURE (Rep.)—PARAMOUNT (1,700) (40c-80c). Gross: $13,000. (Average: $17,000)

TWO GUYS FROM TEXAS (WB) and SONS OF ADVENTURE (Rep.)—FENWAY (1,373) (40c-80c) 2nd week. Gross: $4,900. (Average: $6,000)

MINNEAPOLIS

"Sorry, Wrong Number" was a strong draw in a week of otherwise ordinary to poor business. Estimated grosses for the week ended Oct. 7:

ABBOTT AND COSTELLO MEET FRANKENSTEIN (U-I)—LYRIC (1,100) (50c-70c) 2nd week. Gross: $5,200. (Average: $5,000)

BAD SISTER (U-I)—CENTURY (1,500) (50c-70c). Gross: $5,500. (Average: $5,500)

A DATE WITH JUDY (M-G-M)—RADIO CITY (4,000) (50c-70c) 2nd week. Gross: $12,500. (Average: $16,000)

ONE TOUCH OF VENUS (U-I)—RKO ORPHEUM (2,800) (50c-70c). Gross: $11,000. (Average: $14,000)

RACHEL AND THE STRANGER (RKO Radio)—RKO PAN (1,500) (50c-70c) 2nd week. Gross: $8,500. (Average: $8,000)

SORRY, WRONG NUMBER (Para.)—STATE (2,300) (50c-70c). Gross: $14,500. (Average $10,500)

WALLFLOWER (WB) and MEN OF TEXAS (U-I reissues)—GOPHER (1,000) (44c-50c). Gross: $3,300. (Average: $3,200)

BALTIMORE

First-run theatre managers are further convinced this week that picture patrons shop more carefully nowadays for their film fare. The important newcomers are doing substantial business; openings were strong and weekend busy. Estimated receipts for the week ended Oct. 7:

THE BROTHERS (U-I)—LITTLE (326) (29c-37c-56c). Gross: $3,000. (Average: $3,000)

LARCENY (U-I)—KEITH'S (2,404) (25c-37c-44c-54c). Gross: $10,750. (Average: $12,500)

MINE OWN EXECUTIONER (20th-Fox)—NEW (1,800) (29c-40c-50c-54c). Gross: $10,000. (Average: $11,750)

PITFALL (UA)—VALENCIA (1,466) (29c-37c-45c-54c) 2nd week. Gross: $4,250. (Average: $5,000)

RACHEL AND THE STRANGER (RKO Radio)—TOWN (1,450) (29c-37c-50c-55c) 2nd week. Gross: $9,750. (Average: $11,000)

ROPE (WB)—STANLEY (3,280) (29c-37c-50c-58c). Gross: $15,000. (Average: $14,500)

A SOUTHERN YANKEE (M-G-M)—CENTURY (3,000) (29c-37c-45c-54c). Gross: $16,750. (Average: $14,500)

THE VICIOUS CIRCLE (UA)—MAYFAIR (1,000) (21c-29c-54c). Gross: $4,740. (Average: $5,000)

WALK A CROOKED MILE (Col.)—HIPPODROME (2,205) (29c-37c-50c-58c). With a stage show. Gross: $18,000. (Average: $17,000)

TORONTO

"Life with Father" was held for a third week at the Tivoli and Eglinton theatres for its initial regular-price run in Toronto while the week saw the finish after three weeks of "Oliver Twist," first attraction at the new Odeon Toronto, where it was followed by "The Babe Ruth Story." There were only four holdovers. Estimated receipts for the week ended Oct. 7:

THE BABE RUTH STORY (AA-Mono.)—ODEON (2,319) (20c-35c-50c-60c-70c-80c-$1.20) 6 days. Gross: $17,000. (Early average: $17,000)

THE BLACK ARROW (Col.)—SHEA'S (2,480) (20c-36c-50c-66c-90c) 6 days. Gross: $16,200. (Average: $14,700)

GOOD SAM (RKO Radio)—NORTOWN (950) (20c-42c-60c) 6 days. Gross: $5,200. (Average: $5,000)

GOOD SAM (RKO Radio)—VICTORIA (1,240) (20c-36c-42c-60c) 6 days. Gross: $5,800. (Average: $5,800)

LIFE BEGINS AT 8:30 (20th-Fox) and I WAKE UP SCREAMING (20th-Fox)—DANFORTH (1,400) (20c-36c-50c-60c) 6 days. Gross: $5,800. (Average: $6,000)

LIFE BEGINS AT 8:30 (20th-Fox) and I WAKE UP SCREAMING (20th-Fox)—FAIRLAWN (1,195) (20c-36c-50c-55c) 6 days. Gross: $4,800. (Average: $5,000)

LIFE WITH FATHER (WB)—EGLINTON (1,086) (20c-36c-50c-66c) 6 days, 3rd week. Gross: $6,000. (Average: $6,900)

LIFE WITH FATHER (WB)—TIVOLI (1,434) (20c-36c-50c-66c) 6 days, 3rd week Gross: $7,000. (Average: $8,200)

LUXURY LINER (M-G-M)—LOEW'S (2,074) (20c-36c-50c-66c-78c) 6 days. Gross: $17,200. (Average: $14,200)

RACE STREET (RKO Radio)—IMPERIAL (3,343) (20c-36c-50c-66c-90c) 6 days. Gross: $16,600. (Average: $14,600)

SO THIS IS NEW YORK (UA) and THE ARGYLE SECRETS (Astral)—BILTMORE (938) (15c-30c-36c-55c) 6 days, 2nd week. Gross: $4,500. (Average: $5,000)

SOUTHERN YANKEE (M-G-M) — UPTOWN (2,761) (20c-36c-50c-66c-90c) 6 days, 2nd week. Gross: $10,600. (Average: $10,600)

CLEVELAND

"Rope" cashed in on a tremendous advertising campaign which preceded its release, rolling up a high $23,000 in its first week at Warner's Hippodrome where it stays for a second week. Lower Mall patrons supported "Life and Loves of Tchaikovsky" to the tune of $3,000, which is 20 per cent better than average. Other first-runs came through at about par, which was good considering the concentrated local interest in the World Series. Estimated receipts for the week ended Oct. 5-6:

BEYOND GLORY (Para.) — LOEW'S OHIO (1,268) (50c-70c) 2nd week, on a moveover from Loew's State. Gross: $6,100. (Average: $6,200)

FOREVER AMBER (20th-Fox)—RKO ALLEN (3,000) (55c-70c). First time at popular prices. Gross: $14,000. (Average: $13,800)

INNOCENT AFFAIR (UA)—LOEW'S STATE (3,300) (50c-70c). Gross: $18,000. (Average: $19,300)

LIFE AND LOVES OF TCHAIKOVSKY (Classic Pictures)—LOWER MALL (563) (50c-70c). Gross: $3,000. (Average: $2,500)

ROPE (WB)—WARNERS' HIPPODROME (3,500) (55c-70c). Gross: $23,000. (Average: $15,000)

SO EVIL MY LOVE (Para.)—LOEW'S STILLMAN (1,900) (50c-70c). Gross: $10,000. (Average: $10,500)

TAP ROOTS (U-I)—RKO PALACE (3,300) (55c-70c) 2nd week, on a holdover. Gross: $16,000. (Average: $16,000)

Ascap Seen

(*Continued from page* 1)

the action against Ascap brought by members of the Independent Theatre Owners of New York.

Attorneys pointed out yesterday that there is no question about Judge Leibell enjoining Ascap from collecting from the New York exhibitor plaintiffs in the suit. They declared that with such an injunction in existence Ascap would be foolhardy if it attempted to exercise its performing licensing rights elsewhere around the country, in the event Judge Leibell decides not to divest it of those rights.

To do so, copyright attorneys were agreed, would be equivalent to Ascap's inviting exhibitor suits similar to the New York action in every Federal jurisdiction in the country. The New York case could be used as precedent in every action brought elsewhere and local injunctions similar to the one likely to be entered here could be obtained, it was opined.

Attorneys were inclined to interpret Ascap's strategy in urging Judge Leibell not to act on divestiture of the Society's licensing rights to a desire to avoid exposure of Ascap's licensing activities in fields other than motion pictures.

Robert P. Patterson, special counsel for Ascap in the New York case, and Louis D. Frohlich, trial counsel, both raised the question of Judge Leibell's right to order divestiture of the public performance licensing rights, contending that it would be improper in private litigation and should be left to the U. S. Attorney General, if it is to be attempted at all. Neither attorney argued that Ascap should not be enjoined from collecting from the exhibitor plaintiffs in the ITOA case and it appears to be a foregone conclusion that Judge Leibell will order such an injunction. Not to do so, in effect would be equivalent to Judge Leibell reversing himself.

There was no indication at Wednesday's hearing that he contemplated doing anything of the kind.

AA-Mono. Loss

(*Continued from page* 1)

of $374,896 for the previous fiscal year.

While gross income increased 11.5 per cent to $9,030,906 from fiscal 1947, Broidy pointed out that a number of adverse conditions combined with the costs incurred in organizing and launching Allied Artists accounted for the loss. Total operating expenses in 1948 increased to $10,009,016 from $7,507,938.

"Since initiating our Allied Artists program in the spring of 1947," Broidy commented, "we have made important progress toward our goal of winning a well-recognized position in the Class A feature field." Thus, viewed from a broad perspective, the company is gaining entrance to many theatres, particularly first runs, not previously played by its product and is also widening the market for Monogram pictures, Broidy stated.

Big Illinois Drive-in

CHICAGO, Oct. 7. — Ed Fleming, operator of the Lincoln Field Racetrack in Crete, Ill., is constructing a 1,000-car drive-in on that site to be ready by spring. The project will also have a dance pavilion, ice rink, restaurant and playground.

"Macbeth"

(*Continued from page* 1)

Duncan, is caught in flaming drama, even though some of the more subtle glimmers go fugitive. For the sake of clarity and fluidity, Welles has taken understandable liberties in adapting the play into a workable screenplay.

THE Macbeth of Welles is cast in heroic mold, full-bodied and dynamic. His soliloquies are hollered to the heavens, and in brooding moods of introspection he conveys a figure inwardly crushed by the dirty deeds. Jeanette Nolan's Lady Macbeth is somewhat overshadowed, but she goes through her role with the authority of artistry. A newcomer to the screen, it is a most difficult dramatic gamut she is called upon to span. It flows from the hard assurance of the early scenes in which she admonishes Macbeth to look as innocent as the flower but be the serpent beneath it, down to sequences of sauntering madness.

Welles' direction combines with John L. Russell's camerawork to create an atmosphere of haunting pictorial beauty. Long shots sweep into closeups with vivid effect. The interior, rock-like settings of the castle and the mist-hung battlements are etched in striking frames of lights and shadows. Such imaginative devices of the camera manifest themselves from the very opening in which the three cackling witches make their dire prophesy.

SUPPORTING performances range from unexcellable to fair. In some of the minor roles there is the feeling that emotions are expressed in memorized quotations rather than feelings that stem genuinely. Dan O'Herlihy is excellent in the traditional interpretation of the Macduff who returns to Scotland to slay Macbeth in the powerful clash of steel that marks the finale of the tragedy. Roddy McDowall portrays Malcolm and Edgar Barrier is Banquo.

The fitting music by Jacques Ibert is conducted by Efrem Kurtz. Presented by Charles K. Feldman, this Mercury Production for Republic release was produced by Welles, with Richard Wilson as associate producer.

Running time, 107 minutes. Adult audience classification. Release date, not set.

MANDEL HERBSTMAN

"No Minor Vices"

(*Enterprise—M-G-M*)

LENDING his talents as producer and director to a fresh interpretation of sophisticated comedy, Lewis Milestone has delivered a film which is distinctly different, and, therefore, one which is difficult to appraise from a commercial standpoint. True, it offers star names of recognized marquee stature, and it is strong on production values, but its familiar story about an emotional triangle involving a husband, his wife and "other man" is told with an apparent offhandishness and propensity for disguised meaning as to confuse and strain attention. In short, Arnold Manoff's subtly written screenplay aims its wit at the intellect rather than the funnybone. This reviewer would hesitate to describe it as a picture for average audiences.

To a degree, all of the cast are "whacky" characters, but Louis Jourdan, in the role of a portrait painter of dubious talent but fulsome neuroses, tops the others. Husband Dana Andrews, a pediatrician, befriends the artist during one of the latter's flagrant fits of brooding bewilderment, bringing him to his ultra-modern clinic to sketch "people." There the screwball artist meets and falls in love with Andrews' wife, Lilli Palmer, whom Jourdan seeks to convince has become no more than a housekeeper and cook dedicated to making her husband comfortable and happy. Jourdan finds he is having a good time raising sinister doubts in the couple's minds, and the three principals hop, skip and jump about and conduct themselves like petulant children while airing their emotional problems in coyly adult dialogue. The three agree that Jourdan should do Miss Palmer's portrait so he may expose on canvas her true emotional desires. And that he does. For the fadeout she is back in Andrews' eager arms and Jourdan, somewhat shocked by that, appears to have acquired a bit of sense in consequence. This picture seems always to challenge the audience to laugh. The number of chuckles and guffaws it elicits depends on how the audience is constituted intellectually. Performances are neat in a cast which also includes Jane Wyatt, Norman Lloyd, Bernard Gorcey, Roy Roberts, Fay Baker, and several others.

Running time, 96 minutes. Adult audience classification. For November release.

C. L. F.

"Leather Gloves"

(*Columbia*)

RICHARD ENGLISH'S *Saturday Evening Post* is basically a human story of a broken-down boxer and his struggle for both social and ethical regeneration, rather than being a tale of the prize-ring as such. It is not fast-paced, but Brown Holmes' screenplay does move smoothly, with all hands in the cast performing quite adequately.

Cameron Mitchell, a former big-time boxer, is reduced to a small-timer fighting for "coffee money." In a small town he meets Jane Nigh, an innocent young thing engaged to the local boxing champion. He also meets Virginia Grey, a wealthy widow. His romantic interests, divided between the two girls, and the coming local championship fight for which he has been paid to lose, provide the crux of the story.

Except for the final scenes, which Henry Freulich expertly photographed, there is little boxing in the picture. Supporting players include Sam Levene, as the fight promoter, Henry O'Neill, the fighter's manager, and Blake Edwards, the home town ring champion. The picture was produced and directed by Richard Quine and William Asher.

Running time, 75 minutes. General audience classification. Release date, not set.

New Tests Planned On Fire Prevention

WASHINGTON, Oct. 7.—Further experiments will be conducted here by Government and industry fire prevention experts in methods of further cutting down film vault fire losses. The group, which includes John McCullough of the Motion Picture Association; Henry Anderson, Paramount; Alan Cobb, Eastman Kodak, and others, recently completed a series of experiments which indicated the possibility of dropping fire losses to a minimum of about two per cent. The new experiments will center around types of racks and insulation. A "progress report," outlining the results of this year's tests, is to be presented to the October convention here of the Society of Motion Picture Engineers.

NLRB Okays 'IA'

(*Continued from page* 1)

ployes Guild (CIO) following a three-month struggle for control of the UA shop, which was the first SOPEG unit to bid for H-63 representation in face of SOPEG's refusal to comply with the non-Communist affidavit provisions of the Taft-Hartley Law. Because of its non-compliance, SOPEG was refused a place on the election ballot and the employes, voting 109 to 26, chose H-63 over the alternative of no union.

Meanwhile, the SOPEG unit at Republic has disintegrated over the Communist issue, "a majority" of the "collarites" there having petitioned H-63 for representation. Yesterday H-63 issued a circular which stated that "coming events cast their shadows before. Watch Columbia, Loew and Paramount (sites of other SOPEG shops)."

'Little Three'

(*Continued from page* 1)

order was served on defense attorneys here early this week. Although the bulky document ran to 135 pages it was primarily concerned with Government proposals for theatre divestiture, ultimate divorcement and a proposal for a modified ban on cross-licensing, together with other subjects primarily of concern to the theatre-owning defendants, Loew's, Paramount, RKO, 20th Century-Fox and Warners.

MGM Borrows Jones

HOLLYWOOD, Oct. 7.—David O. Selznick has concluded negotiations to lend Jennifer Jones to Metro-Goldwyn-Mayer to play the title role in Flaubert's "Madame Bovary." The picture will be produced by Pandro Berman and directed by Vincente Minnelli and will start immediately upon the completion of Miss Jones' title role in "China Valdes."

Rubens Sells Interests

CHICAGO, Oct. 7. — Maurice Rubens, veteran exhibitor, has sold his half interest in three theatres which he operated jointly with the Illinois-Indiana Theatre Circuit. The houses are the Uptown, Tivoli and Lido in Michigan City. It is understood Rubens will retire.

Lippert Sets 16th

HOLLYWOOD, Oct. 7. — Addition of "Branding Iron" to Lippert Productions' 1948-49 program as its 16th production for Screen Guild release has been announced here by Robert L. Lippert, Screen Guild president.

MOTION PICTURE DAILY'S BOOKING CHART

WEEK OF	COLUMBIA	EAGLE-LION	M-G-M	MONO.	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIV.-INT'L.	WARNERS
Sept. 19	(Sept. Releases) BLACK EAGLE, THE STDRY DF A HORSE William Bishop Virginia Patton O	DLYMPIC GAMES DF 1948 (Color) (Documentary) —136 min. (Rev. 9/15/48)	A SOUTHERN YANKEE Red Skelton Brian Donlevy DC—91 min. (902) (Rev. 8/6/48)	SHERIFF OF MEDICINE BDW Johnny Mack Brown O	SORRY, WRDNG NUMBER Barbara Stanwyck Burt Lancaster D—89 min. (Rev. 7/29/48)	SDN OF GDD'S COUNTRY (Color) Monte Hale	RACE STREET George Raft William Bendix D—79 min. (821) (Rev. 6/24/48)	(Sept. Releases) FDREVER AMBER (Color) Linda Darnell Cornel Wilde D—140 min. (733) (Rev. 10/10/47) THE LUCK DF THE IRISH Tyrone Power Anne Baxter DC— 99 min. (Rev. 9/1/48) THE CREEPER Eduardo Cianelli Dnslow Stevens D—64 min. (Rev. 9/1/48) ESCAPE Rex Harrison Peggy Cummins D—78 min. (Rev. 5/20/48) THE GAY INTRUDERS John Emery Tamara Geva CD—68 min. (Rev. 6/21/48)	(Bogeaus) GIRL FROM MANHATTAN Dorothy Lamour Charles Laughton D—81 min. (Rev. 9/16/48) (Selected Films) PLOT TO KILL ROOSEVELT D		RDPE (Color) James Stewart John Dall D—83 min. (802) (Rev. 8/26/48)
Sept. 26	GENTLEMAN FROM NOWHERE Worner Baxter Fay Baker D SINGING SPURS Hoosier Hotshots Kirby Grant O	BLANCHE FURY (Color) Valerie Hobson D—93 min. (Rev. 9/1/48)		RANGER'S RIDE Jimmy Wakely O		DENVER KID Alan Lane O MOONRISE Dane Clark Gail Russell D—90 min. (Rev. 9/24/48)				(Sept. Releases) THE SAXON CHARM Robert Montgomery Susan Hayward D—88 min. (Rev. 9/2/48)	
Oct. 3	TRIPLE THREAT Richard Crane Gloria Henry D	HOLLDW TRIUMPH Paul Henreid Joan Bennett O—83 min. (Rev. 8/10/48)	JULIA MISBEHAVES Greer Garson Walter Pidgeon CD—99 min. (903) (Rev. 8/13/48)		ISN'T IT RDMANTIC Veronica Lake Roland Culver DC—87 min. (Rev. 8/18/48)		RACHEL AND THE STRANGER Loretta Young Robert Mitchum D—93 min. (Rev. 8/3/48)		(Monterey) RED RIVER John Wayne Montgomery Clift D—125 min. (Rev. 7/12/48) (Hopalong Cassidy) STRANGE GAMBLE O—62 min.	FDR THE LDVE DF MARY Deanna Durbin Don Taylor MC—90 min. (Rev. 8/27/48)	SMART GIRLS DON'T TALK Virginia Mayo Bruce Bennett D—81 min. (803)
Oct. 10	WALK A CRDOKED MILE Dennis O'Keefe Louis Hayward D—91 min. (Rev. 9/1/48) (Oct. Releases)	ADVENTURES OF GALLANT BESS Cameron Mitchell D—73 min. (Rev. 7/30/48)		SMUGGLER'S COVE Leo Gorcey D		GRAND CANYON TRAIL (Color) Roy Rogers O—67 min.		(Oct. Releases) CRY OF THE CITY Victor Mature Richard Conte D—95 min. (841) (Rev. 9/15/48)	(Nasser) AN INNOCENT AFFAIR Fred MacMurray Madeleine Carroll DC—90 min. (Rev. 8/30/48)		
Oct. 17	LDVES OF CARMEN (Color) Rita Hayworth Glenn Ford D-98 min. (Rev. 8/20/48)	BEHIND LOCKED DOORS Lucille Bremer Richard Carlson D—61 min. (Rev. 9/7/48)	SECRET LAND (Color) Documentary— 72 min. (905) (Rev. 8/25/48)		NIGHT HAS A THOUSAND EYES Edw. G. Robinson Gail Russell D—81 min. (4803) (Rev. 7/12/48)		MOURNING BECOMES ELECTRA Rosalind Russell Michael Redgrave D—170 min. (904) (Rev. 11/19/47)	APARTMENT FOR PEGGY (Color) Jeanne Crain William Holden D—99 min. (842) (Rev. 9/9/48)			JDHNNY BELINDA Jane Wyman Lew Ayres D—102 min. (804) (Rev. 9/14/48)
Oct. 24	I SURRENDER DEAR Gloria Jean D-68 min. RUSTY LEADS THE WAY Ted Donaldson D-59 min.	COUNT DF MONTE CRISTO (Reissue) Robert Donat D—119 min. (738) (Rev. 8/29/34)		OUTLAW BRAND Jimmy Wakely O		CDDE DF SCDTLAND YARD Dscar Homolka D—60 min. (Rev. 9/1/48)	STATION WEST Dick Powell Jane Greer D—92 min. (906) (Rev. 9/2/48)	(Wurtzel) NIGHT WIND Charles Russell D—63 min. (843) (Rev. 8/25/48)			
Oct. 31	THE UNTAMED BREED (Color) Sonny Tufts Barbara Britton D EL DORADD PASS Charles Starrett O	SON DF MONTE CRISTD (Reissue) D—102 min. (739) (Rev. 12/3/40)		INCIDENT Warren Douglas Jane Frazee D	SEALED VERDICT Ray Milland Florence Marly D-83 min. (4804) (Rev. 9/8/48)	DRUMS ALONG THE AMAZON George Brent Vera Ralston D	A SONG IS BORN (Color) Danny Kaye Virginia Mayo C—113 min. (952) (Rev. 8/25/48)	(Nov. Releases) BUNGALOW 13 Tom Conway Margaret Hamilton D WHEN MY BABY SMILES AT ME Betty Grable Dan Dailey D	(Popkin) MY DEAR SECRETARY Laraine Day Kirk Douglas C—94 min. (Rev 9/7/48)		
Nov. 7	(Nov. Releases) LEATHER GLOVES Cameron Mitchell D—75 min.		(Enterprise) NO MINOR VICES Dana Andrews Lilli Palmer C D				INDIAN AGENT Tim Holt O—61 min.	RDAD HOUSE Ida Lupino Cornel Wilde Richard Widmark D—95 min. (844) (Rev. 9/22/48) BELLE STARR'S DAUGHTER George Montgomery Rod Cameron D JUNGLE PATRDL Kristine Miller Arthur Franz D			JUNE BRIDE Bette Davis Robt. Montgomery D-97 min. (805)
Nov. 14	RACING LUCK Gloria Henry D								(Rogers-Cohn) HIGH FURY Madeleine Carroll Ian Hunter D—71 min.		
Nov. 21	THE RETURN DF DCTOBER (Color) Glenn Ford Terry Moore D—89 min. THE GALLANT BLADE (Color) Larry Parks Marguerite Chapman D—81 min.		THE THREE MUSKETEERS (Color) Lana Turner Gene Kelly D—125 min. (906)				BLDDD ON THE MOON Robert Mitchum Barbara Bel Geddes D				
Nov. 28				KIDNAPPED Roddy McDowall D—71 min.							

SRO

MR. BLANDINGS BUILDS HIS DREAM HDUSE
Cary Grant
Myrna Loy
C—96 min. (206)
(Rev. 3/25/48)
(Release date, Sept.)

THE PARADINE CASE
Gregory Peck
Ann Todd
D—117 min. (105)
(Rev. 12/30/47)
(Release date, Sept.)

PORTRAIT DF JENNIE
Jennifer Jones
Joseph Cotten
D
(Release date, Nov.)

FILM CLASSICS

SDFIA
(Color)
Gene Raymond
D—83 min.
(Rev. 8/16/48)
(Release date, Sept.)

MIRACULDUS JDURNEY
(Color)
Audrey Long
D—83 min.
(Rev. 8/5/48)
(Release date, Sept.)

BLDNDE ICE
Leslie Brooks
D—72 min.
(Rev. 5/28/48)
(Release date, Sept.)

HAIRY APE
(Re-release)
D-91 min.
(Rev. 5/18/44)
(Release date, Sept.)

WOLF MAN
(Re-release)
D—70 min.
Rev. 12/10/41)
(Release date, Sept.)

INNER SANCTUM
Mary Beth Hughes
D
(Rel. date: Oct.)

UNKNDWN ISLAND
(Color)
Virginia Grey
Barton MacLane
D

APPOINTMENT WITH MURDER
D
(Rel. date: Oct.)

DAUGHTER DF RAMONA
(Color)
D
(Release date, Nov.)

SCREEN GUILD

DEAD MAN'S GOLD
Lash LaRue
O
(Release date, Sept.)

SOS SUBMARINE
(Documentary)
(Release date Oct.)

MOZART STORY
D
(Release date, Sept.)

LAST OF THE WILD HDRSES
D
(Release date, Oct.)

MARK OF THE LASH
Lash LaRue
D
(Release date, Oct.)

Dates Are Based on National Release Schedules and Are Subject to Change. Letters Denote the Following: (D) Drama (M) Musical. (C) Comedy. (O) Outdoor Action. Production Numbers Are in Parentheses. (Rev.) Motion Picture Daily Review Date.

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64. NO. 71 NEW YORK, U. S. A., MONDAY, OCTOBER 11, 1948 TEN CENTS

WB Warns on Undue Penalty In Divestiture

Holds K-B Amusement's Suit Is 'Out of Order'

WASHINGTON, Oct. 10.—Stanley Co. Warner subsidiary, continued its attacks at the weekend against the suit by K-B Amusement Co. to force Stanley out of the jointly-owned MacArthur Theatre, by warning in U. S. District Court here that divestiture under the Paramount decision must not in any way unduly penalize the "Big Five" defendants.

Warner contended that one of the real reasons behind the K-B suit was to get an undeserved "windfall" by forcing Warner to sell at "book value" its interest in the theatre real estate and in vacant land as well as its interest in the theatre operation.

"No court of equity should lend its hand to such an open effort to impose a penalty and forfeiture upon the defendants," a brief submitted by Warner attorney Philip W. Amram declared.

The brief repeated arguments made

(*Continued on page 6*)

Indiana Exhibitor Files Trust Action

CHICAGO, Oct. 10.—Peter Poulos, owner of the Ace Theatre in Hammond, Ind., filed a Federal Court antitrust suit here on Friday in which he charged 14 producers and distributing companies with conspiracy to monopolize exhibition in Hammond, suppressing competition and discriminating in rentals.

He is seeking an injunction to restrain the alleged conspiracy and unfair contracts as well as an order to prohibit what he termed unfair clearances.

Gillis to Mono. as Eastern Sales Head

Maxwell Gillis, who resigned recently as Republic's Eastern district manager, has been named Monogram-Allied Artists Eastern sales manager with headquarters in New York, it was reported here at the weekend by general sales manager Maurice Goldstein.

Before becoming a Republic district manager, Gillis was branch manager for that company in Philadelphia.

Igoe Eases 'Loop' Limit on 2 Films

CHICAGO, Oct. 10.—The outlook for distributors with high budget films that require "special" handling, and limited under the Jackson Park decree to a two-week Loop run in defendant theatres, took an optimistic turn on Friday when Judge Michael J. Igoe in U. S. District Court accorded an eight-week Loop run for 20th Century-Fox's "The Snake Pit" at the B. and K. Garrick, and an unlimited two-a-day run for "Hamlet," released by Universal-International, at the B. and K. Apollo.

Miles Seeley, representing Universal, said the company will probably lease the Apollo on a four-wall basis although no deal is set.

The decision came after four hours of heated litigation argued by Jackson Park attorney Tom McConnell; Thomas Dodd Healy, representing

(*Continued on page 6*)

NY Projectionists Ask Higher Wages

Following a number of preliminary talks here during the past two weeks, intensified negotiations will get under way shortly, possibly this week, between film company representatives and a negotiating group from IATSE Motion Picture Projectionists Local No. 306 on a new union contract for home office projectionists.

Declining to give out specific details concerning new demands, a "306" spokesman did reveal, however, that wage increases are being sought.

The contract under which the 80 home office projectionists have been working expired on Sept. 1.

Michigan Allied Will Swap Buying Data

Detroit, Oct. 10.—Under the direction of Charles W. Snyder, business manager of Allied Theatres of Michigan, a purchasing information service is being established here.

The service will screen product and information on such investigations, including comparative cost data on competitive products, and is to be made available to members. Another feature will be the exchange of information on the sale or lease of theatres available, as well as data on theatre equipment.

Seek 40-Hour Week For U. K. Workers

LONDON, Oct. 10. — Tom O'Brien, Member of Parliament and general secretary of the National Association of Theatrical and Kine Employes, will ask for across-the-board wage increases and a 40-hour week for his members when negotiations for a new agreement with the Exhibitors' Association are opened in the near future. A two-year agreement expired recently.

Details of the demands have not yet reached Exhibitors' Association headquarters but bitter opposition to the new demands appears inevitable. The expired agreement gave theatre employes $5,000,000 in annual wage increases and was hailed in 1946 when it was signed as a signal example of generosity and industrial conciliation on the part of the theatre owners.

Stresses Illegality of Lobby Telecast Pickups

The practice of exhibiting television programs in motion picture theatres, in taverns, hotels, dance halls and other public places without authorization can be legally stopped, according to an article in the current issue of the Columbia Law Review by David M. Solinger, New York attorney.

Concerned primarily here would be those theatres which have television receivers in foyers, mezzanines and lobbies. In such cases as the New York Paramount where large-screen reproduction of video programs can be made, authorization of the telecasters and sponsors invariably is obtained.

Solinger believe the courts will decide in the near future "whether the air is free or whether a telecaster may limit, restrict and control what he originates." Television broadcasters are already endeavoring to limit and restrict use of their programs to home consumption, he states, because they "obviously do not believe that the air is free and that strangers may capitalize on their efforts and investments."

Television is protected by statutory and common law copyrights, he states, as well as by other common law property rights. "An owner of a television receiver," he writes, "by performing a program in a theatre, tavern, hotel, restaurant or private auditorium has thereby infringed on the common law copyright."

To Ask Delay In US vs. Para. Until Nov. 8

Distributors Will Seek Court Action Wednesday

The eight distributor defendants in the Paramount case will ask New York Federal Court on Wednesday to defer new proceedings in the anti-trust suit until Nov. 8, it was learned here at the weekend. Wednesday was originally set for the hearings on the form of order to be entered in the case and was to be followed by hearings on phases of the action remanded by the U. S. Supreme Court to the New York court.

Efforts by defense attorneys to win Department of Justice concurrence in

(*Continued on page 6*)

Keith Named UA's Mid-continent Head

William T. Keith, United Artists' New Orleans branch manager, has been promoted to the newly-created post of Mid-continent district manager, it was announced at the weekend by Fred Jack, UA's Western sales manager.

Keith will assume his new duties immediately, as district manager for the St. Louis, Kansas City, Omaha and Denver branches. His immediate agenda includes a trip to all exchanges

(*Continued on page 6*)

House Trade Probe In Oklahoma City

OKLAHOMA CITY, Oct. 10.—Recent U. S. court decisions against the distributors have improved trade practices by "a tremendous amount" but have failed to end discrimination, O. F. Sullivan, owner of drive-in theatres in Oklahoma City and Muskogee and of the Civic Theatre in Wichita, told a House Small Business Committee here on Friday.

Sullivan, who asserted that the

(*Continued on page 6*)

No Paper Tomorrow

***Motion Picture Daily* will not be published tomorrow, Columbus Day, a legal holiday.**

Personal Mention

JOSEPH R. VOGEL, Loew's theatre operations vice-president, observed his 39th year with the company yesterday.

•

JACK ARTHUR, Famous Players Canadian district manager in Toronto, has been awarded membership in the Order of the British Empire in recognition of his entertainment organization work for soldiers during the war.

•

RICHARD F. WALSH, IATSE president, is due in Victoria, B. C., today from New York to represent the American Federation of Labor as its fraternal delegate to the 63rd annual convention of the Trades and Labor Congress of Canada.

•

PRISCILLA MORLEY, magazine cover model and wife of HENRY A. LINET, Universal-International Eastern advertising manager, is hospitalized at at Brooklyn Thoracic Hospital.

•

RALPH WHEELWRIGHT, assistant to HOWARD STRICKLING, M-G-M studio publicity head, has delayed his return to the Coast from New York until today.

•

JOHN MISKINIS, JR., operator of the Civic Theatre in Detroit, has withdrawn from the Allan Park Theatre leaving NICK GEORGE as sole owner.

•

AL LOWE, United Artists division manager for Australasia, South Africa and the Far East, left here at the weekend for Johannesburg.

•

MAURICE SILVERSTEIN, Loew's International regional director of Latin America, flew to Mexico City yesterday from New York.

•

HARRY KALMINE, general manager for Warner Theatres, returned to New York over the weekend from Hollywood.

•

CAROL BRANDT, head of M-G-M's Eastern story department, will return here today from a vacation in England.

•

EDWIN W. AARON, M-G-M assistant sales manager, is due back in New York today from the Coast.

•

ALFRED HITCHCOCK arrived here over the weekend from London en route to Hollywood.

•

HOWARD STRICKLING, M-G-M studio publicity head, has arrived here from the Coast.

•

FRED C. QUIMBY, M-G-M short subjects producer, is here from the Coast.

•

ANATOLE LITVAK, director, is in New York from Hollywood.

•

JOSEPH MACK, head of Filmack's Los Angeles plant, is Chicago.

•

JULES LEVEY, producer, is in New York from the Coast.

Tradewise . . .

By SHERWIN KANE

ATTORNEY General Tom Clark, that ole Texas horse-trader who met talk of a consent decree in the Paramount case last June with the remark that the Government would get a complete victory without a consent decree, won an almost immediate response to that transparent bid for talks.

In real horse-trading fashion, he progressed from his provocative position of last June by almost imperceptible degrees to a mid-summer stand which found him issuing what amounted to an outright invitation to open up negotiations.

"We're always ready to listen," he said, in effect, "but we doubt if you boys have any horse flesh that would interest us."

The prospective "trade" then was on the basis of top asking price—defendants were invited to concede the utmost Clark could hope to win by continuing in court. That would be total divestiture.

With the arrival of autumnal chill and its forebodings of November election returns, Clark let it be known that he no longer is asking, nor expecting, an offer of total divorcement. Even though the immediate response from four defendant companies was termed "inadequate" by the Government last week, it appears that the process of feeling each other out is moving steadily ahead.

It could get serious by the time election returns are in.

• •

Eagle-Lion, that lusty youngster, continues to make steady progress. If product to come lives up to expectations manifest around the home office these days, there will be more good news from that quarter shortly.

E-L lost approximately $2,000,000 last year. It reduced that to a $200,000 loss for the first half of this year. Several months of the current year have been in the black and recent improvement has been steady.

• •

One of the fundamentals of putting the industy's house in order is the continuing determination of those in responsible positions to see that good pictures are produced at costs that will permit recovery of profits in the domestic market alone.

There is no disputing either the wisdom of that objective or the need for attaining it. It is completely sound and, the state of the world being what it is, the future of the industry may well depend upon its ability to live within domestic income.

In expressing that aim, which is addressed fundamentally to Hollywood production budgets and only incidentally to the state of the world market today, several top executives recently have stated publicly that the foreign market must be discounted as a revenue producer for several years to come.

Don't let that confuse you.

It is much more a corollary of a sound production cost policy than it is a reflection on the current world market.

Such statements as those do not mean that the industry is out of the world markets or is contemplating withdrawing from them. No do they mean that foreign operations as of now are unprofitable nor that the industry does not expect them to continue to be profitable.

The companies whose heads made the statements referred to still are maintaining costly yet profitable foreign departments at home offices and in every corner of the world. There is no indication today that they do not expect to go on maintaining them indefinitely and, it should be added, profitably.

Foreign profits like domestic profits, are down from their all-time peaks. They may stay down for years to come. But profits are still there and are being brought home.

•

Income from foreign markets this year has been reasonably good. Several companies expect revenue from world markets for 1948 equal to that of 1947.

Blocked funds have been released by France, liquidated in Italy, in Shanghai and elsewhere. Improvement is expected soon in a number of the sore spots in South America. Dollars are being received regularly from numerous open-market nations. Dollars are being conserved through salary and other payments to foreign department employes around the world in native currencies, rather than in dollars, as formerly.

And if Eric Johnston keeps on raising iron curtains around Eastern Europe he may, one of these days, come upon one which has some dollars to spend, and that, too, would be on the plus side.

Newsreel Parade

THE World Series, a Coast Guard rescue, and the Berlin Crisis before the UN are current newsreel highlights. Complete contents follow:

MOVIETONE NEWS, No. 81—Russian action in Berlin. Crisis at UN trial. Hurricane hits Cuba. Coast Guard rescue in Bahamas. World Series.

NEWS OF THE DAY, No. 211—World Series. Hurricane hits Havana. Sir Stafford Cripps hails ERP. Truman resumes campaign. Crash at Grand Prix. Football.

PARAMOUNT NEWS, No. 14—Coast Guard saves 23 from plane on Keys. Report on Palestine. World Series.

UNIVERSAL NEWS, No. 185—Truman on tour. Florida hurricane. Rodeo in Texas. World Series.

WARNER PATHE NEWS, No. 16—Plane rescue. UN news. Airlift in Berlin. People in the news: Truman, John Foster Dulles.

Johnston May Fly Back on Wednesday

Eric Johnston, Motion Picture Association of America president, is expected to fly back to New York from either Madrid or London on Wednesday. Joyce O'Hara, Johnston's executive assistant, was due to arrive here from Madrid over the weekend.

Johnston Calls Off Scheduled Address to Engineers' Group

Eric A. Johnston, president of the Motion Picture Association of America, now in Europe, has cancelled a scheduled address before the Society of Motion Picture Engineers on the Coast on Oct. 25, according to the MPAA offices here. Johnston is expected to be engaged in meetings of principal distribution and studio executives on the Coast later this month.

Film Companies To Observe Holiday

Five of the New York home offices will be closed all day tomorrow, Columbus Day, with six scheduled to close at one P.M., including the Motion Picture Association of America.

Those to close all day include Columbia, M-G-M, RKO Radio, 20th Century-Fox, and United Artists. Closing at one will be Paramount, Monogram, Republic, Universal, Warner, Eagle-Lion and the MPAA.

A.A.-Mono. Buys Up Dallas Franchise

HOLLYWOOD, Oct. 10.—Acquisition of the Dallas franchise from Lloyd Rust and E. Blumenthal has been announced by Steve Broidy, president of Allied Artists-Monogram. Rust and Blumenthal will concentrate on expanding their theatre interests, it was added.

Brothers 'Love Happy'

Chico and Harpo Marx and writer Ben Hecht share a 50 per cent interest in Lester Cowan's production of "Love Happy," due for release by United Artists in February, Chico disclosed here Friday. Groucho is in the picture, but not the percentage. "We paid him off," said Chico.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20. N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Aseher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; Theatre Sales; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

TWO BIG OPENINGS!

JULIA MISBEHAVES
AT RADIO CITY
MUSIC HALL
(Now misbehaving)

THE THREE MUSKETEERS
COLOR BY TECHNICOLOR
WORLD PREMIERE SOON!
LOEW's STATE
Broadway's Newest DeLuxe Show-case





GREER GARSON • WALTER PIDGEON in "JULIA MISBEHAVES • PETER LAWFORD • ELIZABETH TAYLOR • CESAR ROMERO • Lucile Watson • Nigel Bruce Mary Boland • Reginald Owen • Screen Play by William Ludwig, Harry Ruskin and Arthur Wimperis • Adaptation by Gina Kaus and Monckton Hoffe • Based Upon the Novel "The Nutmeg Tree" by Margery Sharp • Directed by JACK CONWAY • Produced by EVERETT RISKIN • A Metro-Goldwyn-Mayer Picture

★

M-G-M presents Alexandre Dumas' "THE THREE MUSKETEERS" starring LANA TURNER • GENE KELLY • JUNE ALLYSON VAN HEFLIN • ANGELA LANSBURY FRANK MORGAN • VINCENT PRICE KEENAN WYNN • JOHN SUTTON GIG YOUNG • Color by TECHNICOLOR Screen Play by Robert Ardrey • Directed by GEORGE SIDNEY • Produced by PANDRO S. BERMAN

The Pep of the Industry!

PHONE For The PROOF That "SORRY, WRONG

Buzz C. S. Jensen. Ask him what great singing star's Blue Ribbon Award comedy "Sorry, Wrong Number" outdrew when it opened in **SEATTLE**

Get in touch with Frank Pratt and get the name of the "road" show that "Sorry, Wrong Number's" opening topped by 28% in **PORTLAND**

Ring Tracy Barham and ask him which Wallis smash "Sorry, Wrong Number" outgrossed by 45% in its first day in **SALT LAKE CITY**

Phone Harry French for the name of the sock melodrama that "Sorry, Wrong Number" topped in its first 4 days in **MINNEAPOLIS**

Call Dave Cockrill for the name of the famous current comedy whose first 3 days' gross was topped by 22% by "Sorry, Wrong Number" in **DENVER**

Ask Harry Arthur to identify the famed hold-over hit that "Sorry, Wrong Number" topped (in 1st 4 days of 2nd week) by 60% in **LOS ANGELES**

Find out from Harry Nace the laugh hit that "Sorry, Wrong Number's" big opening day topped by almost 100% in **PHOENIX**



The Pace-Maker in

Paramount's Autumn Harvest of Hits

"Sorry, Wrong Number"•"Isn't It Romantic"•"Night Has A Thousand Ey
"Sealed Verdict"•"Miss Tatlock's Millions"•"The Paleface"



Get Jim Eshelman to tell you what Paramount Boxoffice Champion of '48 was outgrossed 27% by "Sorry, Wrong Number" in its **ROCHESTER** opening



Call Harry Royster. Ask him what current leader's opening day "Sorry, Wrong Number" doubled in **MIDDLETOWN, N.Y.**

NUMBER"



Ask George Beattie what big-star Technicolor musical it topped by 18% in **PHILADELPHIA**

Is A COAST-TO-COAST Sensation!



EVERY NEW DATE'S AS GREAT AS THAT TERRIFIC N. Y. PARAMOUNT PREMIERE!

Telephone Bob O'Donnell. He'll tell you what Academy Award star's best-picture-of '48 it bettered by 31% opening day in **DALLAS**



Barbara Stanwyck
Burt Lancaster
in
"SORRY, WRONG NUMBER"

with

ANN RICHARDS · WENDELL COREY · HAROLD VERMILYEA

Directed by
ANATOLE LITVAK · HAL WALLIS

Produced by
and ANATOLE LITVAK

Screenplay by Lucille Fletcher · Based on her famous radio play

A HAL WALLIS PRODUCTIONS, INC., PICTURE

A Paramount Release

Ascap Rule National In Its Scope: Myers

WASHINGTON, Oct. 10. — Allied States' general counsel Abram F. Myers said New York Federal Court Judge Leibell's statement that he doubted that he could divest Ascap of its rights to collect public performing royalties from theatres "does not in any way weaken the effect of Judge Leibell's original opinion and Judge Nordbye's in Minneapolis."

Myers pointed out that all along he has discounted the belief that Judge Leibell could issue an injunction against Ascap effective all over the United States. "I had never supposed," he said, "that any injunction in a private litigation case could affect any but the immediate parties. That does not, however, militate against the effect of the Nordbye and Leibell opinions as precedents.

"I cannot see Ascap bringing thousands of suits all over the U. S. against theatre owners just to have the lawyers for those exhibitors go into court, call the judge's attention to the Leibell and Nordbye opinions, and have the case dismissed. Those two opinions still mean the end of Ascap."

On another tack, Myers said he thought the Justice Department's proposed findings and order in the Paramount case "very splendid, certainly adequate to protect independent theatre owners."

"I don't see what more they could have asked for," he declared. "Bob Wright did a wonderful job."

Myers said there had been some "sensible modifications" in the Department's earlier stand, citing the modified cross-licensing ban as "better calculated to impress the court as a reasonable proposal."

The Allied official stated that he couldn't "see any consent decree being agreed on very quickly," indicating in general that he has not yet changed his earlier position that Allied is not "unduly alarmed" over the talks going on between the defendants and the Attorney General.

Allied Executives To Meet Next Weekend

WASHINGTON, Oct. 10.—Allied States Association's executive committee will meet here next Saturday and Sunday, Allied general counsel Abram F. Myers announced. Myers said he had not had time yet to work up an agenda for the meeting, but that a large part of the discussion would deal with arrangements for Allied's convention in New Orleans.

WB Warns

(*Continued from page* 1)

earlier that the suit was out of order because there was no final judgment in the Paramount case and because only the special New York District Court has jurisdiction over divestiture cases.

Argument is set for tomorrow on a Warner motion to dismiss the K-B suit and a K-B counter-motion for summary judgment against Warner.

Warner pointed out that requiring it to give up its stock in the MacArthur Corp. at book value—as asked by K-B—would entail giving up the half-interest in the fee of the theatre, the half-interest in the landlord's reversion of the land under the lease, and the half-interest in another parcel of vacant land.

House Trade Probe

(*Continued from page* 1)

large distributors show preference for the circuits over the independents although the latter offer more money, was among several Oklahoma and Kansas independents to appear before William H. Stevenson, Wisconsin Republican, only member of the committee present.

Charles E. Dierker, former U. S. attorney, in representing the Home Theatre of Oklahoma City, declared that the Home, although a first-run house, cannot get enough product for its needs. Charging that some distributors refuse to take bids and that others refuse to reveal why bids are unsuccessful or the amount of the successful bids, Dierker added there can be no competitive situation with such secrecy.

Harold Braucht, co-owner of the Home, who followed Dierker in giving testimony, said there is talk among theatremen that distributors are withholding films in order to promote scarcity, but that he could not prove it. His statement was in answer to a question by Rep. Stevenson.

Robert B. Busch, manager of the Uptown and Villa here, aimed his testimony at the Griffith Circuit in alleging that after the circuit built neighborhood second-run houses near his they began to get the best available product. He also complained that the distributors can, in effect, fix admission prices by forcing agreements before releasing pictures.

Coast Office Set By Protestant Unit

HOLLYWOOD, Oct. 10.—Oren W. Evans, an industrial relations expert, has been named Hollywood director of the Protestant Film Commission in its plan to counsel producers on pictures, it was announced at the weekend by Paul F. Heard, national executive director of PFC, and Dr. Louis Evans, its West Coast representative.

The announcement also disclosed that PFC is establishing a permanent committee here of eminent religious leaders and laymen to stimulate the production of films on "constructive subjects" as well to serve the studios by providing "a sample cross-section of the reaction of Protestant audiences" to scripts.

Evans will make his headquarters at Nassour Studio.

Igoe Eases Limit

(*Continued from page* 1)

20th-Fox and Seeley. In granting the petitions filed by the companies last week Judge Igoe said it was impossible to make a hard and fast rule for playing time in the Loop on every picture made. It was never the intention of the court to destroy the motion picture industry but only to destroy the vicious part of this industry, the evil of which, he added, has already been destroyed.

Evidence, he continued, indicated that the producers are doing better financially than before the decree went into effect.

He conceded that the films are "entitled to unusual treatment and are for educated people. I'm willing to permit this deviation from the decree at this time. Only time will tell whether I am right." Star witness at the hearing was Andy Smith, 20th-Fox general sales manager.

Schenck, US Laud Allied Vote Drive

WASHINGTON. Oct. 10.—Allied States Association has received a pledge of support from Loew's Nicholas Schenck and a "pat on the back" from U. S. Secretary of Defense Forrestal in its drive to use the nation's theatres to "Get Out The Vote" on Nov. 2.

Schenck wrote Allied counsel Abram F. Myers that the drive "strikes me as a useful public service," and said he would recommend to the editors of M-G-M's News of the Day that they include in all reels released during the two weeks ending Nov. 2 a clip urging audiences to go to the polls. Allied asked the reels to do this.

Forrestal wrote Myers that "your board and your members will be rendering a public service in urging voters to cast their ballots on Nov. 2. Certainly no responsible citizen could challenge the view of your board that the voters of the U. S. should go to the polls every time they have the opportunity to exercise their franchise."

Paramount News to Issue Special Campaign Footage

Paramount News will present newsreel stories of the two major political candidates, with Gov. Thomas E. Dewey to be covered this Thursday and President Harry Truman next Monday, as a public service in helping to "assure the greatest possible vote in the coming Presidential election and to assist the citizenry in deciding on their preferred candidate," it was announced here at the weekend. Each of the stories will run approximately 900 feet.

Defer Advice on U.S. Information Abroad

WASHINGTON, Oct. 10.—The State Department's advisory commission on information, created to advise the Department on its overseas information program, has deferred until a meeting next month the submission of recommendations. The commission wound up a two-day meeting on Friday with an "exploratory" survey of the film program. Herb Edwards, head of the Departments' film activities, in a review of next year's plans, told the commission of the effectiveness and popularity of U. S. films abroad.

Keith Named

(*Continued from page* 1)

in his orbit to conduct meetings explaining sales policy on current UA product to branch and field personnel.

Keith joined UA in 1946 as a salesman, which position he held until he was appointed acting branch manager in New Orleans in 1947. In Sept., 1947, he was appointed branch manager of the New Orleans exchange and held that position until now.

Para. Case Delay

(*Continued from page* 1)

a postponement of 30 days apparently failed, the Department having been prepared to agree to 15 days.

Meanwhile, further attempts on the part of the defendants to reach an out-of-court settlement through a consent decree were proceeding, according to reports. Initial proposals by four companies for partial divestiture of theatre interests were rejected as "inadequate" last week by the Justice Department.

Stolen 16mm. Films Recovered by FBI

Based upon a Copyright Protection Bureau investigation resulting from a tip from Omaha that 16mm. features of major companies with spurious titles were circulating out of Springfield, Ill., data was turned over to the Federal Bureau of Investigation for further action and the FBI has recovered prints of 20 features of four companies, most of which had been furnished to the armed services during the war for entertainment purposes overseas, according to the Copyright Protection Bureau.

The FBI has delivered the prints to the Army Motion Picture Service in New York which turned them over to Sargoy and Stein, special counsel for the majors in copyright matters, for distribution to the owners.

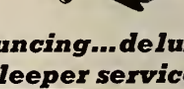
Transamerica Holds Charges Not Clear

WASHINGTON, Oct. 10.—Transamerica Corp., parent of the Bank of America, on Friday asked Federal District Court here to force the Federal Reserve Board to "clarify" anti-trust charges which the board issued against the giant bank holding company last week.

The move may force a postponement of hearings scheduled by the board to begin Tuesday. Transamerica said the board's complaint was not specific enough to let it know what it was supposed to defend itself against. Bank of America is prominently identified with U. S. film production financing.

'Life' Cover Goes to Video's Olive Stacey

Indication that television may be advancing to the stage at which it is capable of establishing stars in its own right is seen by trade observers in *Life* magazine's action in giving the cover of its current issue to Olive Stacey, known to the public almost exclusively through television performances. Miss Stacey appeared most recently on NBC television in the Theatre Guild's production of "Our Town."



Announcing...deluxe all-sleeper service

NEW YORK to PARIS

every Friday 4 P.M. EST

Fly on world-proved TWA Constellations. Cocktails, champagne, vintage wines. Filet mignon dinner. Bed-size berths! Hot breakfast! Call TWA or your travel agent.

The only Coast-to-Coast Constellations

TWA

TRANS WORLD AIRLINE

U.S.A. • EUROPE • AFRICA • ASIA

FILE COPY
DO NOT REMOVE

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

64. NO. 72 NEW YORK, U. S. A., WEDNESDAY, OCTOBER 13, 1948 TEN CENTS

Ascap to Seek Revenue from Telecasters

They Desire Licensing Pacts, Fred Ahlert Says

American Society of Composers, Authors and Publishers' first active pursuit of revenue from the television industry, heretofore untapped, is expected immediately following ratification of extension of the society's agreement with its members on video licensing rights.

Fred E. Ahlert, president of Ascap, in letters to members asking approval of renewal of the pact vesting in the society the right to license their music for video, notes the "leaps and bounds" progress made by television in the past year. He asks members to vote on the new agreement, which has had unanimous board of directors approval, at the earliest, making it clear that the object in mind is to launch negotiations on rates with telecasters.

Ascap's present contract with its members covering video expires on Dec. 31, and the new pact would become effective on that date, to run

(*Continued on page* 5)

Ralph Cohn, Others Form Telespots, Inc.

Telespots, Inc., has been formed here by Ralph Cohn, industry pioneer and president, along with several others, its activities to embrace production, distribution and sales of both "live" and film product. Accent of the production schedule will, however, be placed on package commercials.

Associated with Cohn are leading representatives from motion pictures, radio, theatre and advertising. Representing production, sales and distribution phases are Jules Bricken, former

(*Continued on page* 5)

Wolfson Will Spur TOA Video Program

Arthur H. Lockwood, newly elected president of Theatre Owners of America, has named Mitchell Wolfson, of Miami, chairman of TOA's television committee, a post held last year by Lockwood.

The committee will swing into action immediately to give form and action to the recommendations it

(*Continued on page* 5)

Gross Income Up in Second Quarter: U. S.

WASHINGTON, Oct. 12.—Five motion picture companies had gross sales of $104,738,000 in the second quarter of 1948, $6,723,000 below the $111,101,000 reported for the like 1947 quarter, although $1,724,000 above the first quarter's sales of $102,654,000, the U. S. Securities and Exchange Commission reported here today.

The five companies included in the total were Columbia, RKO, Republic, 20th Century-Fox and Universal. Loew's was not included because its figures covered different periods, while Paramount and Warner had not yet reported their sales when the release was issued.

Columbia, RKO and Fox showed small gains from the first quarter of 1948 to the second quarter, while Re-

(*Continued on page* 4)

Eyssell Testimonial In K. C. Tomorrow

Industry leaders from both coasts will converge on Kansas City tomorrow to attend a testimonial dinner honoring G. S. Eyssell, executive manager of Rockefeller Center and president of Radio City Music Hall.

Eyssell, a native of Kansas City, who rose from printer's devil to head the world's largest theatre and direct

(*Continued on page* 4)

Portugal Permits Same Remittances

Washington, Oct. 12.—The Commerce Department said here today Portuguese restrictions on dollars for U.S. films are "mild and must be considered very satisfactory."

A report by film chief Nate Golden declared that film distributors have been allowed to remit in 1948 the same amount of dollars remitted in 1947, and pointed out that 1947 was "an excellent year for distributors of U.S. films." A total of $600,000 has been allocated, of which $534,000 is for remittance of rentals.

US Role Still High In Australian Mart

WASHINGTON, Oct. 12.—Hollywood is holding its share of Australia's film market despite British competition, but the British are making inroads there in U. S. sales of newsreels and short subjects, a U. S. Commerce Department report revealed here today. The report declares that the government will allow an estimated $3,300,000 to be remitted to the U. S. this year—50 per cent of the base year of 1946. In 1947, 70 per cent was allowed.

The report, by motion picture chief Nathan D. Golden, shows that while Britain's share of the feature film market was increasing from 9.4 per cent in 1944 to a high of 10.9 per cent in 1946 and 10.5 in 1947, U. S. feature films went from 87.5 per cent in 1944, to 88.4 per cent in 1945, to 83.1 in 1946 and back to 85.7 in 1947.

"The Three Musketeers"

[*M-G-M*] — Nary a trick missed

THIS has the stuff of which movies are made. Or ought to have. At his own peril will anyone take "The Three Musketeers" seriously. The purpose was to entertain, young and old alike, and that purpose has been met with a whacking commercial distinction which indicates this attraction will be one of the heavy money pictures of the new season.

Probably it is required to record that "The Three Musketeers" was written by Alexandre Dumas whose adventure cycle of French royalty in flower was very tall stuff, but never taller than Dumas according to Robert Ardrey who put this script together. "The Three Musketeers" may be atrocious Dumas, but it is super-quality box-office.

Perhaps it is required, also, to deal briefly with the well-known story of D'Artagnan, the Gascon bumpkin of 300-odd years ago, who takes the high road to Paris, the court of Louis and derring-do. There, his flashing and dexterous sword proves introduction to the legendary Athos, Porthos and Aramis, musketeers to the king and three great guys with the ladies.

Their job is to defend the throne, and no questions asked. This throws

(*Continued on page* 4)

U.S. Doubts if 'Little 3' Are Still in Suit

D. of J. Admits Little More Wanted of Them

WASHINGTON, Oct. 12.—A Justice Department official confirmed today that the "Little Three" are practically out of the Paramount case.

(MOTION PICTURE DAILY last Friday quoted attorneys as saying that the Department's proposed order for entry in the case contained so little applicable to Columbia, United Artists and Universal that they hardly saw any need for their remaining in the suit.)

The Department spokesman said that the three would be affected only by the franchise and license discrimination modifications in the Department's proposed order and findings and that "it hardly seems worthwhile for them to send their lawyers to court to argue about those two provisions." He declared he knew of "no further relief" that the Government was seeking from Columbia, United Artists, and Universal.

The scheduled hearing on the proposed orders in the suit will open in New York Federal Court tomorrow with application for a postponement expected.

Dipson in Suit for Anticipated 'Loss'

BUFFALO, Oct. 12.—First known instance where an exhibitor is seeking anti-trust damages to cover the future has resulted in a clash of opinion and an adjournment to next Tuesday in the case of Dipson Theatres versus Buffalo Theatres, Inc., and eight distributors in U. S. District Court here.

Plaintiffs allege trebled damages in excess of $5,000,000 from 1939 to

(*Continued on page* 5)

N. C. Allied Raps MGM 'Judy' Policy

SIOUX FALLS, Minn., Oct. 12.—Regional meeting of North Central Allied at the Carpenter Hotel here unexpectedly veered from taxation, Ascap and similar industry matters to attack M-G-M's policy of taking "Easter Parade" and "Date with Judy" out of the sliding scale formula

(*Continued on page* 4)

Personal Mention

DAVID BEZNOR, attorney for the Colosseum of Motion Picture Salesmen of America, was in New York yesterday from Milwaukee.

•

D. O. BRANTLY, formerly with Lam Amusement Co., Rome, Ga., and of the Wilby-Kincey Theatre in Birmingham, Ala., has been named manager of the Martin Theatre, Dawson, Ga.

•

SI SEADLER, M-G-M advertising head, returned to New York on Monday from Washington where his son underwent an appendectomy over the weekend.

•

CARROLL PUCIATO of Realart has arrived from New York for sales meetings in San Francisco, Portland, and Seattle.

•

MORT BLUMENSTOCK, Warner advertising-publicity vice-president, has returned to New York from Hollywood.

•

CARTER T. BARRON, Loew's district head in Washington, has returned to his headquarters after a visit here on Monday.

•

JOHN LEO, Eagle-Lion San Francisco sales manager, is vacationing in New York.

•

JACK R. KEEGAN of Northio theatres, Cincinnati, and his wife are staying at the Warwick Hotel here.

•

A. J. O'KEEFE, Universal-International assistant general sales manager, is in Boston from New York.

•

VINCENT SHERMAN, Warner director, has arrived here from the Coast en route to England.

•

TOM ROGERS of M-G-M's publicity department returned to New York Monday from a vacation in Paris.

•

LOUIS W. SCHINE, Schine Circuit vice-president, has returned to Gloversville, N. Y., from Cleveland.

Newsreels to Carry Dewey-Truman Story

As a public service, all five newsreels, in cooperation with the Democratic and Republican parties, will issue special newsreel stories on the two principal candidates.

The specially produced pictorial biographies on President Truman and Governor Dewey will be identical in length. They will cover the highlights of each candidate's career. The Dewey story will be in tomorrow's reels, while the Truman story will be in the issues of Oct. 18.

Allvine on Dewey Train

Glen Allvine is on the "Dewey Victory Special" handling television and newsreels for the Governor. He has completed laboratory and distribution arrangements for "The Dewey Story," nine-minute film biography.

Mono. Board Up for Reelection Nov. 10

HOLLYWOOD, Oct. 12.—Monogram stockholders will meet here on Nov. 10 to elect a board of 10 directors for the coming year. Board chairman W. Ray Johnston, company president Steve Broidy and the eight other incumbents are up for re-election.

Meeting notice issued by the company lists the officer-incumbents' remunerations for the last fiscal year, and stock-ownership, as follows: Johnston, $46,296 remuneration, 2,617 shares of common (12,500 options); Broidy, $102,293, 14,903 common (2,000 options); George D. Burrows, executive vice-president and treasurer, $37,100, 33 shares; Edward Morey, vice-president, $26,500, 1,500 shares; Norton V. Ritchey, vice-president, $26,500, 3,945 shares.

Non-officer incumbents are listed as owning shares of common as follows: Herman Rifkin, 16,585 shares; Howard Stubbins, 328; Charles Trampe, 8,353; William Hurlbut, 3,029; Arthur C. Bromberg, 1,086.

Remuneration paid company secretary Sam Wolf was listed as $37,785.

Gross "sales commissions" received during the fiscal year ended July 3 by Monogram exchanges wholly or partially-owned by company directors are listed as follows: Johnston, $103,241; Stubbins, $245,867, plus $72,031; Trampe, $44,065; Hurlbut, $71,345; Rifkin, $138,298; Bromberg, $363,177.

Fees and salaries totaling $241,631 and bonuses totaling $57,243 were paid or set aside directly or indirectly by the company and its subsidiaries during the last fiscal year to all persons as a group who were directors or officers of the company at any time during the period, according to the meeting notice.

Executives' Parley Awaits MPAA Head

WASHINGTON, Oct. 12.—Parley of company presidents scheduled to be held on the Coast is contingent upon the return to this country of Eric A. Johnston, Motion Picture Association of America president, from Europe. Johnston is expected back at the end of this week.

If he returns by Thursday or Friday, the meeting may be convoked by the end of next week or during the week of Oct. 25, it is reported here.

Joyce O'Hara, who accompanied the MPAA head on most of the itinerary, has returned to Washington.

Maas Completes Report

Company foreign managers met at the Harvard Club here on Monday to hear Irving Maas, Motion Picture Export Association general manager, complete a report on his recent trip abroad.

E-L Hallowe'en Party

The Eagle-Lion Family Club will hold a Hallowe'en party and dance at the Hotel Diplomat here on Oct. 29th.

ACLU Will Attack State Censor Boards

Various court rulings giving motion pictures the same constitutional rights as speech and press, and armed with such views, "suits may hopefully be brought to end the seven state censor boards and the numerous municipal censors," it was stated here yesterday in the annual report of the American Civil Liberties Union. Formerly, the ACLU added, the courts had held that motion pictures are solely entertainment and as such could be censored.

Price Increases Set By Fabian, Warner

ALBANY, N. Y., Oct. 12.—Price increases in Albany, Troy and Schenectady were announced by Fabian Theatres, while Warner Theatres effected increases in Albany and Troy.

Fabian increased two Albany, two Schenectady and one Troy theatre from 65 cents to 74 cents after five P. M. Saturdays, Sundays and holidays. Weekday prices remain the same. New Warner Saturday matinee price for Albany and Troy is 60 cents, an increase of five cents.

House Cuts Admissions

CINCINNATI, Oct. 12.—First price cut in the Cincinnati exchange territory in a long time is reported from Fairmont, W. Va., where the Eastland theatre has reduced admissions approximately 30 per cent. The revised scale is 35 cents for adults, 15 cents for children six to 12 years of age, and no admission for children under six when accompanied by an adult. Prices include all taxes.

Stanley in Phila. Ups Prices

PHILADELPHIA, Oct. 12. — Reversing the current trend of reducing prices in some places, Warners' key Stanley Theatre here has raised its prices by five cents. Only figure not changed is the opening price of 50 cents.

U.A. Gets 3 Features To Be Made in Mexico

HOLLYWOOD, Oct. 12.—United Artists has closed a deal with Mexican producer Francisco De P. Cabrera for distribution of three Spanish features outside of Mexico, two to star Dolores Del Rio, all to be made in Mexico. UA will pay Cabrera 50 per cent of the negative cost on the delivery of each film.

Clark Is Reelected Carrier Group Head

WASHINGTON, Oct. 12.—James P. Clark of Philadelphia was reelected chairman of the Film Carriers Conference of the American Trucking Association at a meeting here. John Vickers of Charlotte was elected vice-chairman.

Francavilla Gets 7t Term as '702' Chief

John J. Francavilla, president a business representative of IATS Motion Picture Laboratory Techn cians Local No. 702 here, and all oth officers of the local have been nom nated for re-election for a two-ye term. Nomination of the slate w unanimous and is tantamount to ele tion. Voting will take place Oct. at the Hotel Picadilly here. The o contest in the balloting will be a 19 members who are running n seats on the executive board. T be Francavilla's seventh term as pre dent.

Nominated in addition to Franc villa were: Richard Gramaglia, fi vice-president; Vera Dorey, seco vice-president; George Waugh, sec tary-treasurer; Boris Salko, recordi secretary; Philip Berner, sergeant- arms, and trustees Joseph Badn Rose Vanoli and Arthur Sanatori.

Fischer Is Named Republic Manager

CHICAGO, Oct. 12.—Appointment Abe Fischer as Republic branch m ager in Chicago was announced h by James R. Grainger, Republic d tribution vice-president. Fischer h been acting manager after the l Will Baker had relinquished the p because of illness.

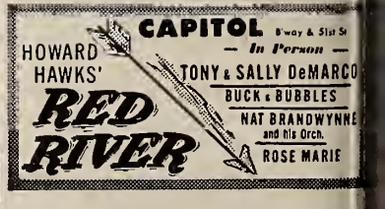
Kamen's Disney Pac Is Extended 7 Years

Mickey Mouse, Donald Duck, P to, and other Walt Disney characte will continue off-screen merchandi ing for another seven years under rection of Kay Kamen, by terms of renewed contract signed with Disn Productions.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
ROCKEFELLER CENTER
Greer Garson, Walter Pidgeon
in "JULIA MISBEHAVES"
Peter Elizabeth Cesar
LAWFORD - TAYLOR - ROMERO
A Metro-Goldwyn-Mayer Picture
SPECTACULAR STAGE PRESENTATION





MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; Theatre Sales; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

MONOGRAM'S UNDERSEA COLOR SENSATION IS A BOXOFFICE SMASH ACROSS THE NATION!

ONE OF THE YEAR'S TOP GROSSERS IN 5-THEATRE LOS ANGELES FIRST RUN!
ORPHEUM, VOGUE, BELMONT, EL REY, CULVER

HELD OVER IN CHICAGO! GARRICK THEATRE

HELD OVER IN BOSTON! MODERN THEATRE

16 FATHOMS DEEP



FILMED IN ANSCO COLOR

A MONOGRAM PICTURE

starring

ARTHUR LAKE
LON CHANEY
LLOYD BRIDGES
ERIC FELDARY

with

TANIS CHANDLER • JOHN QUALEN
IAN MacDONALD

Produced by JAMES S. BURKETT and IRVING ALLEN
Directed by Irving Allen
Screenplay by Max Trell • Adaptation by Forrest Judd
From the American Magazine Story "SIXTEEN FATHOMS UNDER" by Eustice L. Adams

AN ARTHUR LAKE PRODUCTION

READ THIS RAV FROM A FLORIDA EXHIBITOR!

"The number of tickets sold was equal to our total population!

"We have never run any picture on which we received so many good comments."

Chas. Richelieu
Richelieu Theatre
Tarpon Springs, Fla.

NY Business Spotty; $155,000 for 'Julia'

Business is spotty in the new York first-run area this week, a few situations doing well but most of the others being out of the big money.

Head and shoulders out front of the field is "Julia Misbehaves" which figures to pay off a huge $155,000 in a first week at the Music Hall, with a stage show. "Johnny Belinda" with Freddy Martin on stage is a good contender at the Strand where $70,000 is in view for a second week. Tony and Sally DeMarco head the stage bill at the Capitol, "Red River" is the picture and the second week's gross is estimated at a good $87,000; first week's take was $96,500.

Revenue was boosted all around to some extent by yesterday's extra holiday business and higher prices.

At the Roxy, "Cry of the City" with Marie McDonald, Danny Thomas and an ice revue on stage probably will do a substantial $90,000 in a second and final week with booking commitments said to be responsible for the short run; the Roxy's next will be "Apartment for Peggy," opening on Friday.

"Hamlet" is still playing capacity at the Park where the second week should gross over $16,000. "Isn't It Romantic?" with Erskine Hawkins on stage had a short and unprosperous run at the Paramount, having played only one week to the tune of $60,000. "Night Has a Thousand Eyes," with Tony Pastor and Vic Damone in person will open at the Paramount today. "Walk a Crooked Mile" bowed in at the Criterion yesterday after "Saxon Charm" gave the house a meager $15,000 in its final six days, one short of a full second week. The sixth week of "Loves of Carmen" should provide the State with a fair $25,000.

"Rope" is likely to wind up a seventh week at the Globe with a good $28,000. An unimportant $16,500 is seen for the second week of "An Innocent Affair" at the Rivoli. "Rachel and the Stranger" will complete a fourth and final week at the Mayfair with a fair $17,000, with "Mourning Becomes Electra" following on Saturday.

"Babe Ruth Story" is limping at the Astor, its 11th week gross being figured at $9,000.



FIVE-STAR
DC-6
FLAGSHIPS
LOS ANGELES
11 hours, 10 minutes
•
CHICAGO
3¼ hours
Phone HAvemeyer 6-5000
or your travel agent
Ticket Offices: Airlines Terminal
Rockefeller Center • Hotel New Yorker
120 Broadway • Hotel St. George
AMERICAN AIRLINES

"The Three Musketeers"

(Continued from page 1)

them into direct and violent conflict with Cardinal Richelieu, prime minister who foments a war with England as a final step toward seizure of French power. The three musketeers, and more particularly the fourth who is Gene Kelly, seem stalwart enough to block this international intrigue by restoring the queen's jewelry in time to avert exposure by Richelieu and by eventually removing from the scene, and very decorative scenery, Lana Turner, Richelieu's attractive henchman. But before Miss Turner's lovely head is severed from her rounded body by the executioner of Lille, the feuding and the fighting range over all of France and parts of England and June Allyson, Kelly's wife, is among La Turner's murder victims.

The story, as assembled in vivid imagination, is complex and has threads twining among threads. It calls for considerable spirited duelling, photographed excitingly from dramatic angles against some of Technicolor's most effective backdrops. The fact clearly is that when the three musketeers are fighting it out with Richelieu's men, "The Three Musketeers" is at its tingling best. Elsewhere, it slows down to the ponderous and even the dull.

There seems to be no question about the keynoter for Kelly's performance, moreover. He outdoes Doug Fairbanks at his liveliest which will be remembered as very lively indeed. Kelly sure does cover a lot of ground and rooftops. Acting demands made upon him and upon the other principals are never especially exacting, but the gilt-edged cast, including Van Heflin, Vincent Price, Frank Morgan, Keenan Wynn, John Sutton and Reginald Owen, delivers what was required.

Metro must have invaded the mint, so superb are production values. Entertainment values, apparently seeking to run the gamut, embrace comedy often turning to outright slapstick, the perennial chase as represented by pounding hooves and flashing swords, spectacle as represented by the scenes at court, love interest supplied by Kelly versus Allyson, Heflin versus Turner, Angela Lansbury versus Sutton, etc. It is all there with the possible exception of the kitchen sink, and that may be hanging around somewhere, too.

George Sidney directed for Pandro S. Berman, producer. Robert Planck, at the camera, is an assured hero of the occasion. Herbert Stothart's musical score with themes from Tschaikowsky belongs in the column of assets.

Running time, 125 minutes. General audience classification. Release date, November, 1948. RED KANN

Eyssell Testimonial

(Continued from page 1)

a multi-million dollar real estate development, will be honored on the occasion of the 30th anniversary of his entrance into show business.

Expected to represent Hollywood will be Walter Pidgeon. Ed Sullivan, newspaper columnist, will be master-of-ceremonies. Film and theatre executives expected include: Ned Depinet, Spyros P. Skouras, Charles Reagan, William F. Rodgers, Harry J. Michaelson, E. T. Gomersall, George A. Smith, R. J. O'Donnell, Frank Newman, Maurice Bergman, who will represent Nate Blumberg, U-I president, and others.

Kansas City film leaders are sponsoring the dinner, which will be given at the Hotel Muehlebach. Chairman of the committee is Elmer C. Rhoden. Co-chairmen are: Ben Shlyen, Arthur Cole and Senn Lawler.

Eyssell will be accompanied to Kansas City by Fred L. Lynch, Music Hall director of advertising-publicity.

Mrs. Wilhelmina Pellen

Funeral services will be conducted here at one P. M. today at the 72nd Street Cooke Funeral Home for Mrs. Wilhelmina Pellen, 67, mother of Hannah Pellen of Quigley Publishing Co., who died suddenly on Sunday at her home from a heart attack. Ferdinand, the husband, also survives.

MacGregor with Schwyn

BOWLING GREEN, O., Oct. 13.—Don McGregor, former RKO Radio exploiteer out of Cleveland, has been appointed assistant to Jack Armstrong, general manager of the Carl Schwyn Theatres, operating here and in Toledo. McGregor has had a long career in exploitation and public relations on the West Coast.

Coast Group to Aid Israeli on Studio

HOLLYWOOD, Oct. 12.—Appointment of three committees of Coast artists, producers, directors, writers and technicians to assist in the establishment of the first regular studio in Israel, has been announced by Henry Brandstatter, who is here with the endorsement of the Israel government.

The studio, which will be set up with a capitalization of $800,000 to come from the Jewish National Fund in Herzliyah, six miles from Tel Aviv, will produce newsreels, shorts, documentaries and, ultimately, features. It will be tax exempt.

Among the 31 Hollywood advisers are: Charles Brackett, Eddie Canton, Armand Deutsch, John Huston, Lewis Milestone, Milton Sperling, Charles Vidor, Jerry Wald, Billy Wilder, William Wyler, Fred Zinneman, Albert Lasker, Leon Becker and Cy Bartlett.

Allied Raps MGM

(Continued from page 1)

and putting them in the 40 per cent bracket.

NCA president Ben Berger again stressed importance of submitting complaints to the NCA grievance board of any practices by 20th-Fox "or any other company for that matter" which do not comply with the consent decree. He also asked for evidence of forced sales and declared a number of forced selling suits will be filed within the next few weeks. Berger urged the independents to "take a stronger hold on organization or face the consequences of more and greater unconscionable rentals and other demands by film companies."

NCA executive Stanley Kane outlined the U. S. Supreme Court's Paramount decision and warned of "the growing dangers" from tax-minded municipalities.

Gross Income Up

(Continued from page 1)

public and Universal had small drops. All five firms were down in the second quarter of 1948 compared with the second quarter of 1947.

Here are the company-by-company figures: Columbia, $9,046,000 ($8,529,000 for the first quarter and $9,080,000 for the second quarter, 1947). RKO: $28,682,000 ($27,654,000, first quarter; $31,257,000, second quarter, 1947). Republic, $6,303,000 ($6,838,000, first quarter; $7,569,000 second quarter, 1947). Twentieth Century-Fox, $45,808,000 ($44,408,000, first quarter; $46,587,000, second quarter 1947). Universal $14,899,000 ($15,225,000, first quarter; $16,608,000 second quarter, 1947).

Columbia reported that the gross income of its foreign subsidiaries amounted to $3,782,000 in the first quarter of 1948 and $4,889,000 in the second quarter of 1947. The 1948 second quarter figure had not yet been received by the SEC. RKO's figures included net amounts of film earnings of subsidiaries not consolidated operating in foreign territories amounting to $4,856,000 in the second quarter of 1948, compared with $4,772,000 in the first quarter of 1948, and $4,098,000 in the second quarter of 1947. Universal reported that "generally the accounts of foreign subsidiaries are included as of one or two months prior to the New York closing dates, and their operations with minor exceptions, cover a full quarter."

Loew's, Inc., and wholly owned subsidiaries consolidated reported sales of $38,249,000 in the 12 weeks ending June 3, 1948, compared with $52,551,000 for a 16-week period ending March 11. No 1947 figures were given.

Theatre circuits reporting included: Consolidated Amusement Co., Ltd., $1,186,000 ($1,221,000, first quarter; $1,194,000 second quarter, 1947). Loew's Boston Theatres Co., $433,000 for 12 weeks ending June 3, compared with $527,000 for the like 1947 period and $595,000 for 16 weeks ending March 11, 1948.

Lack Heads Westrex, Stevenson Resigns

Directors of Westrex Corp., a subsidiary of Western Electric, have received the resignation of T. K. Stevenson as president and director. F. R. Lack, a member of the board, was elected president succeeding Stevenson. G. L. Best was elected a director to fill the vacancy on the board caused by Stevenson's resignation.

Westrex serves motion picture theatres and studios in all countries of the world except the United States, Canada and Newfoundland.

4th WB Stockholder Suit

Marking the fourth such action to be taken since Sept. 20 against the same plaintiffs, Warner minority stockholder Kate Levine has filed in U. S. District Court here a suit against United States Pictures, Warner Brothers, Joseph Bernhard, Robert W. Perkins, Milton Sperling, Harry M. Warner, Jack L. Warner and Morris Wolf alleging conspiracy in behalf of United to the detriment of Warner. Suit asks for an accounting on a production-distribution deal made in 1945 between the two companies.

Video Stimulus to Theatre: Raibourn

The television set in the home will be an instrument for making more people want to see motion pictures, Paul Raibourn, television vice-president of Paramount, said in a prepared speech delivered last night on the "Town Meeting of the Air" program over the ABC network. Speaking under the general topic of "How TV Television Affect Motion Pictures," Raibourn said that "through a television broadcast we will come into your home to show you just enough of a picture to make you hungry for the rest of it."

He declared that "television and the motion picture theatre will grow together as sound radio, records, and motion pictures have done in the past."

Tracing Paramount's role in television, he pointed out that the company has been helping develop television since 1937. Turning to statistics, he said that "it costs the average family about $135 a year for its television entertainment." The same family, he said, pays about $40 per year for its motion picture entertainment.

Others invited to speak on the program were Rouben Mamoulian, Walter Abel, Mark Woods, and James H. Carmine, executive vice-president of Philco Corp.

$2,000,000 Video Film Deal for Grant

Hollywood, Oct. 12.—A contract calling for the production of 156 motion pictures for television by Marshall Grant-Realm Television Productions was signed with American Tobacco Co. over the weekend. Deal involves an outlay of $2,000,000 over a three-year period for the series which will be half-hour programs. Based on classic short stories, the films will feature Hollywood personalities, the announcement said.

Larry Gordon Heads Television Features

Television Features, Inc., has been formed here to produce motion pictures for television. Named president was Larry Gordon, long active in the photographic field. Mrs. Ann Griffen was elected treasurer and Nancy Gould, secretary. Chairman of the board is Irving Bonnell, and board members also include Henry Hobart and H. Lionel Miller. Television Features has already begun production.

Browne and Bioff to Challenge Subpoenas

CHICAGO, Oct. 12.—George Browne and Willie Bioff prepared yesterday to go before Federal Judge Michael Igoe to ask that subpoenas for their appearance at the Paul Ricca hearings next Monday be quashed. Maurice Walsh, their attorney, said he would contend they were in protective custody of Treasury officials when the subpoenas were served.

'Musketeers' Premiere

M-G-M's "The Three Musketeers" will have its world premiere at Loew's State here Oct. 20.

TOA Video Program

(*Continued from page* 1)

brought before the recent TOA convention in Chicago, when a four-point program was outlined. At that time it was suggested that the TOA investigate the possibility of the establishment of a theatre television distribution system to make available to theatres exclusively special events of wide interest; that theatre operators give consideration to the possibility of getting into the television broadcasting station business; that producers experiment with the use of trailers on television as part of their national publicity campaigns, prior to the release of pictures, with the recommendation also that National Screen Service investigate the possibility of making trailers especially produced for television, to be rented by theatres and shown on television, and that all producing and distributing companies be requested by TOA to halt release to video of films made for theatrical exhibition.

Insists Film Industry Must Aid in Developing Television

The motion picture industry, already affected in some major markets by the spiral growth of television as entertainment, must take active participation in the development of the new medium if it is to fulfill its responsibilities to its stockholders, Frederick A. Kugel, publisher of *Television Magazine*, told the New York Society of Security Analysts here yesterday.

Recent surveys have shown that television "definitely affects the movie-going habits of the set owner; and it is evident that when the medium reaches full maturity the competitive threat to movie box offices will be more far-reaching," Kugel said.

Form Telespots, Inc.

(*Continued from page* 1)

production executive; Lewis Reid, formerly program manager of WOR; David Elman, creator of "Hobby Lobby,"; Sam Dembow, Jr., member of the board of directors of United Artists and former vice-president of Paramount; Arthur L. Mayer, former owner of the New York Rialto and president of Mayer and Burstyn, importers of foreign films; Robert Gruen, industrial and theatrical designer decorator; Allan Robbins of National Screen Service, and Samuel Spring, of the firm of Spring and Eastman, television and motion picture attorneys.

Telespots has already produced five series of 60-second films, which have been constructed on the same basis as radio open-end transcriptions.

Telespots maintains offices in New York, and through arrangement with Samuel Goldwyn, Hal Roach and General Service Studios in Hollywood produces on the Coast. New York facilities are available through Fox and West Coast Sound Studios.

Ascap, Telecasters

(*Continued from page* 1)

two years. An 80 per cent vote of approval would constitute ratification.

Ascap has licensed telecasters on a gratuitous basis but always reserving the right to cancel on 30 days notice. Ahlert states that the telecasters "are now desirous of entering into license agreements for a fixed period."

AAA Receives First 'Voluntary' Case

First instance since the Supreme Court's ruling in the industry anti-trust suit where all parties to motion picture arbitration have voluntarily consented to the procedure were disclosed on Monday. Of the three applications for clearance arbitration which have been received since the high court ruled, two, Boston and New Haven filings, are now being prepared for processing following receipt by the American Arbitration Association of the voluntary consent of all parties to each case.

Cases are: all five distributor-defendants named by the Newington Theatre, New Britain, Conn., and the Amusu Theatre, Groveton, N. H. The third case, docketed with the Salt Lake City tribunal, is awaiting the voluntary consent by all parties, necessary since the Supreme Court decision. It is approximately four months since the three cases were filed.

Dipson Suit

(*Continued from page* 1)

1949, basing their claim involving the future date on the allegation that because of the monopolistic practices of the defendants they lost two theatres which otherwise they would have been operating on lease to next year.

Defendants have taken issue on the entire period, holding that New York statutes limit the period during which such damages could have been incurred to six years prior to the date of filing suit, and asserting that in no case can damages for a future period be allowed.

Both sides were given to next Tuesday to prepare briefs.

Hearing in K-B Suit Delayed to Oct. 25

WASHINGTON, Oct. 12. — Judge James W. Morris on Monday postponed until Oct. 25 argument on the attempt by the K-B Amusement Co. to force the Stanley Co., Warner subsidiary, out of the jointly-owned MacArthur Theatre.

Stanley has moved to dismiss the case, while K-B has asked for summary judgment. Morris said his calendar was too crowded Monday to permit the lengthy argument the film case would require.

In a brief filed with the court, however, K-B contended that the fact that the Paramount case was pending in the New York District Court was not a bar to action on its suit here, as Warner maintained.

There is a fundamental distinction between a law suit by the Government for the public interest and a private law suit, K-B argued.

In answer to a Warner contention that no time limit had been set by the New York court for divestiture, K-B argued that such a time limit would merely be a final deadline for divestiture in the public interest, and need not bar earlier divestiture sought by a private litigant.

Rooney Aids Phila. Variety Club Drive

PHILADELPHIA, Oct. 12.—Mickey Rooney flew here from the Coast yesterday to be guest of honor, along with his father, Joe Yule, who is currently appearing here in "Finian's Rainbow," at a reception which preceded the opening of the drive for Variety Club's camp for handicapped children. Also among the guests were Jean Parker and Lon Chaney.



NY Business Spotty; $155,000 for 'Julia'

Business is spotty in the new York first-run area this week, a few situations doing well but most of the others being out of the big money.

Head and shoulders out front of the field is "Julia Misbehaves" which figures to pay off a huge $155,000 in a first week at the Music Hall, with a stage show. "Johnny Belinda" with Freddy Martin on stage is a good contender at the Strand where $70,000 is in view for a second week. Tony and Sally DeMarco head the stage bill at the Capitol, "Red River" is the picture and the second week's gross is estimated at a good $87,000; first week's take was $96,500.

Revenue was boosted all around to some extent by yesterday's extra holiday business and higher prices.

At the Roxy, "Cry of the City" with Marie McDonald, Danny Thomas and an ice revue on stage probably will do a substantial $90,000 in a second and final week with booking commitments said to be responsible for the short run; the Roxy's next will be "Apartment for Peggy," opening on Friday.

"Hamlet" is still playing capacity at the Park where the second week should gross over $16,000. "Isn't It Romantic?" with Erskine Hawkins on stage had a short and unprosperous run at the Paramount, having played only one week to the tune of $60,000. "Night Has a Thousand Eyes," with Tony Pastor and Vic Damone in person will open at the Paramount today. "Walk a Crooked Mile" bowed in at the Criterion yesterday after "Saxon Charm" gave the house a meager $15,000 in its final six days, one short of a full second week. The sixth week of "Loves of Carmen" should provide the State with a fair $25,000.

"Rope" is likely to wind up a seventh week at the Globe with a good $28,000. An unimportant $16,500 is seen for the second week of "An Innocent Affair" at the Rivoli. "Rachel and the Stranger" will complete a fourth and final week at the Mayfair with a fair $17,000, with "Mourning Becomes Electra" following on Saturday.

"Babe Ruth Story" is limping at the Astor, its 11th week gross being figured at $9,000.



FIVE-STAR
DC-6
FLAGSHIPS
LOS ANGELES
11 hours, 10 minutes
•
CHICAGO
3¼ hours

Phone HAvemeyer 6-5000
or your travel agent

Ticket Offices: Airlines Terminal
Rockefeller Center • Hotel New Yorker
120 Broadway • Hotel St. George

AMERICAN AIRLINES

"The Three Musketeers"

(*Continued from page* 1)

them into direct and violent conflict with Cardinal Richelieu, prime minister who foments a war with England as a final step toward seizure of French power. The three musketeers, and more particularly the fourth who is Gene Kelly, seem stalwart enough to block this international intrigue by restoring the queen's jewelry in time to avert exposure by Richelieu and by eventually removing from the scene, and very decorative scenery, Lana Turner, Richelieu's attractive henchman. But before Miss Turner's lovely head is severed from her rounded body by the executioner of Lille, the feuding and the fighting range over all of France and parts of England and June Allyson, Kelly's wife, is among La Turner's murder victims.

The story, as assembled in vivid imagination, is complex and has threads twining among threads. It calls for considerable spirited duelling, photographed excitingly from dramatic angles against some of Technicolor's most effective backdrops. The fact clearly is that when the three musketeers are fighting it out with Richelieu's men, "The Three Musketeers" is at its tingling best. Elsewhere, it slows down to the ponderous and even the dull.

There seems to be no question about the keynoter for Kelly's performance, moreover. He outdoes Doug Fairbanks at his liveliest which will be remembered as very lively indeed. Kelly sure does cover a lot of ground and rooftops. Acting demands made upon him and upon the other principals are never especially exacting, but the gilt-edged cast, including Van Heflin, Vincent Price, Frank Morgan, Keenan Wynn, John Sutton and Reginald Owen, delivers what was required.

Metro must have invaded the mint, so superb are production values. Entertainment values, apparently seeking to run the gamut, embrace comedy often turning to outright slapstick, the perennial chase as represented by pounding hooves and flashing swords, spectacle as represented by the scenes at court, love interest supplied by Kelly versus Allyson, Heflin versus Turner, Angela Lansbury versus Sutton, etc. It is all there with the possible exception of the kitchen sink, and that may be hanging around somewhere, too.

George Sidney directed for Pandro S. Berman, producer. Robert Planck, at the camera, is an assured hero of the occasion. Herbert Stothart's musical score with themes from Tschaikowsky belongs in the column of assets.

Running time, 125 minutes. General audience classification. Release date, November, 1948.

RED KANN

Eyssell Testimonial

(*Continued from page* 1)

a multi-million dollar real estate development, will be honored on the occasion of the 30th anniversary of his entrance into show business.

Expected to represent Hollywood will be Walter Pidgeon. Ed Sullivan, newspaper columnist, will be master-of-ceremonies. Film and theatre executives expected include: Ned Depinet, Spyros P. Skouras, Charles Reagan, William F. Rodgers, Harry J. Michaelson, E. T. Gomersall, George A. Smith, R. J. O'Donnell, Frank Newman, Maurice Bergman, who will represent Nate Blumberg, U-I president, and others.

Kansas City film leaders are sponsoring the dinner, which will be given at the Hotel Muehlebach. Chairman of the committee is Elmer C. Rhoden. Co-chairmen are: Ben Shlyen, Arthur Cole and Senn Lawler.

Eyssell will be accompanied to Kansas City by Fred L. Lynch, Music Hall director of advertising-publicity.

Mrs. Wilhelmina Pellen

Funeral services will be conducted here at one P. M. today at the 72nd Street Cooke Funeral Home for Mrs. Wilhelmina Pellen, 67, mother of Hannah Pellen of Quigley Publishing Co., who died suddenly on Sunday at her home from a heart attack. Ferdinand, the husband, also survives.

MacGregor with Schwyn

BOWLING GREEN, O., Oct. 13.—Don McGregor, former RKO Radio exploiteer out of Cleveland, has been appointed assistant to Jack Armstrong, general manager of the Carl Schwyn Theatres, operating here and in Toledo. McGregor has had a long career in exploitation and public relations on the West Coast.

Coast Group to Aid Israeli on Studio

HOLLYWOOD, Oct. 12.—Appointment of three committees of Coast artists, producers, directors, writers and technicians to assist in the establishment of the first regular studio in Israel, has been announced by Henry Brandstatter, who is here with the endorsement of the Israel government.

The studio, which will be set up with a capitalization of $800,000 to come from the Jewish National Fund in Herzliyah, six miles from Tel Aviv, will produce newsreels, shorts, documentaries and, ultimately, features. It will be tax exempt.

Among the 31 Hollywood advisers are: Charles Brackett, Eddie Canton, Armand Deutsch, John Huston, Lewis Milestone, Milton Sperling, Charles Vidor, Jerry Wald, Billy Wilder, William Wyler, Fred Zinneman, Albert Lasker, Leon Becker and Cy Bartlett.

Allied Raps MGM

(*Continued from page* 1)

and putting them in the 40 per cent bracket.

NCA president Ben Berger again stressed importance of submitting complaints to the NCA grievance board of any practices by 20th-Fox "or any other company for that matter" which do not comply with the consent decree. He also asked for evidence of forced sales and declared a number of forced selling suits will be filed within the next few weeks. Berger urged the independents to "take a stronger hold on organization or face the consequences of more and greater unconscionable rentals and other demands by film companies."

NCA executive Stanley Kane outlined the U. S. Supreme Court's Paramount decision and warned of "the growing dangers" from tax-minded municipalities.

Gross Income Up

(*Continued from page* 1)

public and Universal had small drops. All five firms were down in the second quarter of 1948 compared with the second quarter of 1947.

Here are the company-by-company figures: Columbia, $9,046,000 ($8,529,000 for the first quarter and $9,080,000 for the second quarter, 1947). RKO: $28,682,000 ($27,654,000, first quarter; $31,257,000, second quarter, 1947). Republic, $6,303,000 ($6,838,000, first quarter; $7,569,000 second quarter, 1947). Twentieth Century-Fox, $45,808,000 ($44,408,000, first quarter; $46,587,000, second quarter 1947). Universal $14,899,000 ($15,225,000, first quarter; $16,608,000 second quarter, 1947).

Columbia reported that the gross income of its foreign subsidiaries amounted to $3,782,000 in the first quarter of 1948 and $4,889,000 in the second quarter of 1947. The 1948 second quarter figure had not yet been received by the SEC. RKO's figures included net amounts of film earnings of subsidiaries not consolidated operating in foreign territories amounting to $4,856,000 in the second quarter of 1948, compared with $4,772,000 in the first quarter of 1948, and $4,098,000 in the second quarter of 1947. Universal reported that "generally the accounts of foreign subsidiaries are included as of one or two months prior to the New York closing dates, and their operations with minor exceptions, cover a full quarter."

Loew's, Inc., and wholly owned subsidiaries consolidated reported sales of $38,249,000 in the 12 weeks ending June 3, 1948, compared with $52,551,000 for a 16-week period ending March 11. No 1947 figures were given.

Theatre circuits reporting included: Consolidated Amusement Co., Ltd., $1,186,000 ($1,221,000, first quarter; $1,194,000 second quarter, 1947). Loew's Boston Theatres Co., $433,000 for 12 weeks ending June 3, compared with $527,000 for the like 1947 period and $595,000 for 16 weeks ending March 11, 1948.

Lack Heads Westrex, Stevenson Resigns

Directors of Westrex Corp., a subsidiary of Western Electric, have received the resignation of T. K. Stevenson as president and director. F. R. Lack, a member of the board, was elected president succeeding Stevenson. G. L. Best was elected a director to fill the vacancy on the board caused by Stevenson's resignation.

Westrex serves motion picture theatres and studios in all countries of the world except the United States, Canada and Newfoundland.

4th WB Stockholder Suit

Marking the fourth such action to be taken since Sept. 20 against the same plaintiffs, Warner minority stockholder Kate Levine has filed in U. S. District Court here a suit against United States Pictures, Warner Brothers, Joseph Bernhard, Robert W. Perkins, Milton Sperling, Harry M. Warner, Jack L. Warner and Morris Wolf, alleging conspiracy in behalf of United to the detriment of Warner. Suit asks for an accounting on a production-distribution deal made in 1945 between the two companies.

Video Stimulus to Theatre: Raibourn

The television set in the home will be an instrument for making more people want to see motion pictures, Paul Raibourn, television vice-president of Paramount, said in a prepared speech delivered last night on the "Town Meeting of the Air" program over the ABC network. Speaking under the general topic of "How TV Television Affect Motion Pictures," Raibourn said that "through a television broadcast we will come into your home to show you just enough of a picture to make you hungry for the rest of it."

He declared that "television and the motion picture theatre will grow together as sound radio, records, and motion pictures have done in the past."

Tracing Paramount's role in television, he pointed out that the company has been helping develop television since 1937. Turning to statistics, he said that "it costs the average family about $135 a year for its television entertainment." The same family, he said, pays about $40 per year for its motion picture entertainment.

Others invited to speak on the program were Rouben Mamoulian, Walter Abel, Mark Woods, and James H. Carmine, executive vice-president of Philco Corp.

$2,000,000 Video Film Deal for Grant

Hollywood, Oct. 12.—A contract calling for the production of 156 motion pictures for television by Marshall Grant-Realm Television Productions was signed with American Tobacco Co. over the weekend. Deal involves an outlay of $2,000,000 over a three-year period for the series which will be half-hour programs. Based on classic short stories, the films will feature Hollywood personalities, the announcement said.

Larry Gordon Heads Television Features

Television Features, Inc., has been formed here to produce motion pictures for television. Named president was Larry Gordon, long active in the photographic field. Mrs. Ann Griffen was elected treasurer and Nancy Gould, secretary. Chairman of the board is Irving Bonnell, and board members also include Henry Hobart and H. Lionel Miller. Television Features has already begun production.

Browne and Bioff to Challenge Subpoenas

CHICAGO, Oct. 12.—George Browne and Willie Bioff prepared yesterday to go before Federal Judge Michael Igoe to ask that subpoenas for their appearance at the Paul Ricca hearings next Monday be quashed. Maurice Walsh, their attorney, said he would contend they were in protective custody of Treasury officials when the subpoenas were served.

'Musketeers' Premiere

M-G-M's "The Three Musketeers" will have its world premiere at Loew's State here Oct. 20.

TOA Video Program

(*Continued from page* 1)

brought before the recent TOA convention in Chicago, when a four-point program was outlined. At that time it was suggested that the TOA investigate the possibility of the establishment of a theatre television distribution system to make available to theatres exclusively special events of wide interest; that theatre operators give consideration to the possibility of getting into the television broadcasting station business; that producers experiment with the use of trailers on television as part of their national publicity campaigns, prior to the release of pictures, with the recommendation also that National Screen Service investigate the possibility of making trailers especially produced for television, to be rented by theatres and shown on television, and that all producing and distributing companies be requested by TOA to halt release to video of films made for theatrical exhibition.

Insists Film Industry Must Aid in Developing Television

The motion picture industry, already affected in some major markets by the spiral growth of television as entertainment, must take active participation in the development of the new medium if it is to fulfill its responsibilities to its stockholders, Frederick A. Kugel, publisher of *Television Magazine*, told the New York Society of Security Analysts here yesterday.

Recent surveys have shown that television "definitely affects the movie-going habits of the set owner; and it is evident that when the medium reaches full maturity the competitive threat to movie box offices will be more far-reaching," Kugel said.

Form Telespots, Inc.

(*Continued from page* 1)

production executive; Lewis Reid, formerly program manager of WOR; David Elman, creator of "Hobby Lobby,"; Sam Dembow, Jr., member of the board of directors of United Artists and former vice-president of Paramount; Arthur L. Mayer, former owner of the New York Rialto and president of Mayer and Burstyn, importers of foreign films; Robert Gruen, industrial and theatrical designer decorator; Allan Robbins of National Screen Service, and Samuel Spring, of the firm of Spring and Eastman, television and motion picture attorneys.

Telespots has already produced five series of 60-second films, which have been constructed on the same basis as radio open-end transcriptions.

Telespots maintains offices in New York, and through arrangement with Samuel Goldwyn, Hal Roach and General Service Studios in Hollywood produces on the Coast. New York facilities are available through Fox and West Coast Sound Studios.

Ascap, Telecasters

(*Continued from page* 1)

two years. An 80 per cent vote of approval would constitute ratification.

Ascap has licensed telecasters on a gratuitous basis but always reserving the right to cancel on 30 days notice. Ahlert states that the telecasters "are now desirous of entering into license agreements for a fixed period."

AAA Receives First 'Voluntary' Case

First instance since the Supreme Court's ruling in the industry anti-trust suit where all parties to motion picture arbitration have voluntarily consented to the procedure were disclosed on Monday. Of the three applications for clearance arbitration which have been received since the high court ruled, two, Boston and New Haven filings, are now being prepared for processing following receipt by the American Arbitration Association of the voluntary consent of all parties to each case.

Cases are: all five distributor-defendants named by the Newington Theatre, New Britain, Conn., and the Amusu Theatre, Groveton, N. H. The third case, docketed with the Salt Lake City tribunal, is awaiting the voluntary consent by all parties, necessary since the Supreme Court decision. It is approximately four months since the three cases were filed.

Dipson Suit

(*Continued from page* 1)

1949, basing their claim involving the future date on the allegation that because of the monopolistic practices of the defendants they lost two theatres which otherwise they would have been operating on lease to next year.

Defendants have taken issue on the entire period, holding that New York statutes limit the period during which such damages could have been incurred to six years prior to the date of filing suit, and asserting that in no case can damages for a future period be allowed.

Both sides were given to next Tuesday to prepare briefs.

Hearing in K-B Suit Delayed to Oct. 25

WASHINGTON, Oct. 12. — Judge James W. Morris on Monday postponed until Oct. 25 argument on the attempt by the K-B Amusement Co. to force the Stanley Co., Warner subsidiary, out of the jointly-owned MacArthur Theatre.

Stanley has moved to dismiss the case, while K-B has asked for summary judgment. Morris said his calendar was too crowded Monday to permit the lengthy argument the film case would require.

In a brief filed with the court, however, K-B contended that the fact that the Paramount case was pending in the New York District Court was not a bar to action on its suit here, as Warner maintained.

There is a fundamental distinction between a law suit by the Government for the public interest and a private law suit, K-B argued.

In answer to a Warner contention that no time limit had been set by the New York court for divestiture, K-B argued that such a time limit would merely be a final deadline for divestiture in the public interest, and need not bar earlier divestiture sought by a private litigant.

Rooney Aids Phila. Variety Club Drive

PHILADELPHIA, Oct. 12.—Mickey Rooney flew here from the Coast yesterday to be guest of honor, along with his father, Joe Yule, who is currently appearing here in "Finian's Rainbow," at a reception which preceded the opening of the drive for Variety Club's camp for handicapped children. Also among the guests were Jean Parker and Lon Chaney.





Box-Office Insurance... Premium $00.00

THE BRILLIANT white light from the crater of a "National" high-intensity, positive projector carbon is just about the best box-office insurance you can get.

Why?

Because it is the brightest and most perfectly color-balanced man-made light in the world and insures that your moving pictures will be clearly seen and enjoyed by every person in the house. No matter how exciting the film plot, your patrons won't be satisfied unless they catch the full detail and color of the picture on the screen.

Use "National" high-intensity projector carbons in your lamp houses. There's no premium to pay for this top-flight, box-office insurance.

The term "National" is a registered trade-mark of

NATIONAL CARBON COMPANY, INC.

Unit of Union Carbide and Carbon Corporation

UCC

30 East 42nd Street, New York 17, N.Y.

Division Sales Offices: Atlanta, Chicago, Dallas, Kansas City, New York, Pittsburgh, San Francisco

WHEN YOU BUY PROJECTOR CARBONS—BUY "NATIONAL!"

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

64. NO. 73 NEW YORK, U.S.A., THURSDAY, OCTOBER 14, 1948 TEN CENTS

MOTION PICTURE ASSOC. OF AMERICA, INC. (CHAMBERS) 28 WEST 44TH ST., NEW YORK 18, N. Y.

FILE COPY DO NOT REMOVE

CEA Wins New Rank Terms Of 33 to 50%

In Turn, Group Pledges Support of Quota Act

LONDON, Oct. 13.—J. Arthur Rank's General Film Distributors and the Cinematograph Exhibitors Association's General Council have reached an accord on rental terms, subject to formal ratification by both sides, and calling for a sliding scale of from 33 per cent to 50 per cent for a complete program with intermediate breaks at 40 and 45 per cent. Flat rates will continue for Sunday bookings.

Both sides are confident that the new agreement will be formally ratified at a meeting here next Wednesday, this actually being one originally scheduled for today but postponed when the terms were divulged before formal adoption of them. B. T. Davis, former CEA president and now one of its delegates, used the terms as a

(*Continued on page 4*)

Pay for Video Films: S.A.G.

Screen Actors Guild will ask for additional payments from television broadcasters every time after the first that new films are used on television programs, Walter Abel disclosed on the "Town Meeting of the Air" program over the ABC network Tuesday night.

Appearing on the program, which had as its subject: "How Will Television Affect Motion Pictures?" Abel read a letter from SAG setting forth its position and indicating that other actors' unions are taking the same stand. Details were not disclosed but

(*Continued on page 2*)

Johnston in London, Due Here Saturday

LONDON, Oct. 13.—Eric A. Johnston, president of the Motion Picture Association of America, accompanied by Merrie Smith, his secretary, arrived here today from Paris and is expected to leave for New York by air on Friday. His plans include an early trip to Hollywood for the meet-

(*Continued on page 4*)

British Producers' Ire at French Film Quota Rising

LONDON, Oct. 13.—The British Film Producers Association, author of the 45 per cent film quota here, grows increasingly vexed with France over the latter's new film quota restricting the import of British films to a minimum of 20 for the ensuing year.

The BFPA's protests earlier to the Foreign Office and British Board of Trade resulted in the latter sending its films division head, Andrew White, to Paris for official negotiations. Dissatisfied with the results of White's mission, J. Arthur Rank, president of the BFPA and champion of the British quota, has written to Harold Wilson, Board of Trade president, urging him to reopen negotiations with the French government.

The association feels that French playing time alloted British films

(*Continued on page 4*)

Divorcement Talks Renewed in Britain

London, Oct. 13.—Advocates of the complete divorcement of exhibition, distribution and production are again airing their views and a showdown on the subject appears likely soon after Parliament reassembles on Oct. 25.

Harold Wilson, president of the Board of Trade, is likely to be questioned at that time on his threatened inquiry into distribution and exhibition, with production inevitably becoming involved. J. Arthur Rank's organization would be largely concerned.

ITO of Wis.-Mich. Confab Opens Today

MILWAUKEE, Oct. 13.—Addresses by national Allied general counsel Abram F. Myers, Associated Theatre Owners of Indiana president Trueman Rembusch, Eastern Pennsylvania Allied general manager Sidney E. Samuelson, North Central Allied president Benjamin Berger, and 20th-Fox general sales manager Andy W. Smith, Jr., will highlight the initial business session tomorrow of the two-day convention of the Independent Theatre Owners of Wisconsin and Upper Michigan.

Main speaker of the convention, to be held at the Schroeder Hotel here,

(*Continued on page 2*)

Republic Regional Meeting Here Today

Republic will hold a regional sales meeting at the New York Athletic Club, today and tomorrow. Branch managers attending will include Frank Dervin, Boston; I. T. Sweeney, Pittsburgh; Merritt Davis, Atlanta; J. H. Dillon, Charlotte; Harold Laird, Tampa; George H. Kirby, Cincinnati; Irwin H. Pollard, Cleveland; Jake Flax, Washington; Arthur Newman, Albany; Jerome Lewis, New Haven; Leon A. Herman, Buffalo; William Murphy, New York.

J. R. Grainger, distribution vice-president, will preside, assisted by

(*Continued on page 2*)

SCTOA Names Film Conciliation Unit

LOS ANGELES, Oct. 13.—The board of the Southern California Theatre Owners Association has approved the decision taken at a membership meeting last week to withhold Ascap fees until the question of who should get the money has been cleared by the courts.

The Board further approved the conciliation plan outlined at the TOA Chicago convention and appointed a local committee to hear grievances.

Under the chairmanship of Paul Williams, SCTOA general counsel, the board named George Bowser, B.

(*Continued on page 2*)

Companies Facing New Chicago Suit

CHICAGO, Oct. 13.—Contending that a number of distributors in this area which do not sell on a bidding basis gave priority runs to competing drive-in theatres on films coming out of the Loop, thus forcing it to close six weeks ahead of the normal closing date, is the basis for a suit now being prepared, according to the North Avenue outdoor theatre, operated by Fink and Gandell.

North Avenue claims it closed on Oct. 3 because the only product it could get was from three distributors which sell here under the bidding sys-

(*Continued on page 2*)

Vexed Court Agrees to New U.S. Case Delay

Hearings Off to Nov. 8; Loew's Hits Gov't. Order

Postponement to Nov. 8 of the new proceedings in the case of U. S. vs. Paramount, *et al.*, applied for by the defendants and uncontested by the Government, was granted reluctantly by the three-judge Federal Court at a hearing here yesterday.

At the same time special counsel John W. Davis for Loew's submitted a memorandum attacking the Government's proposed order in the case as "putting the cart before the horse." In the document and in a brief oral address to the court, Davis contended that the U. S. Supreme Court had directed an extensive inquiry into alleged illegally-held theatres, and that, instead, without such an exploration of this phase of the case, and without furnishing proof, the Department of

(*Continued on page 4*)

US Likes RKO Decree Plan

RKO has submitted its individual proposals for a consent decree which would eliminate it from the Paramount case to the Department of Justice, it was confirmed here yesterday.

Reaction of the Department of Justice to the proposals was described as favorable and there were indications that the RKO plan probably will be accepted.

Pending definite action company officials and attorneys declined to reveal details of the proposals. Trade speculation, however, centered upon a possible RKO intent to dispose of

(*Continued on page 4*)

'Little 3' Waiting End of Para. Case

Columbia, United Artists and Universal, considering themselves little concerned with the remainder of the Government anti-trust suit against the industry, which has to do almost wholly with theatre divestiture, are planning to remain on the sidelines and await the ending of the case,

(*Continued on page 4*)

Personal Mention

ARTHUR B. KRIM, Eagle-Lion president, will leave the Coast for New York at the weekend.

•

BERT SANFORD, Altec home office executive here, and MRS. SANFORD, became grandparents for the second time on Columbus Day when a son was born to radio actor ANDY DONNELLY and PATRICIA SANFORD DONNELLY. They may call the boy CHRISTOFO COLUMBO DONNELLY.

•

WILLIAM WARD, assistant general manager of RKO Theatres, arrived in Cincinnati yesterday on a tour of the circuit's houses in Ohio.

•

ANDY W. SMITH, JR., 20th-Fox general sales manager, and SAM SHAIN, exhibitor relations director, left here last night for Milwaukee.

•

GAEL SULLIVAN, executive director of the Theatre Owners of America, returned to New York yesterday from Washington.

•

GEORGE WELTNER, Paramount International president, will leave New York at the weekend for a tour of Britain and the Continent.

•

G. S. EYSSELL, president of Radio City Music Hall in New York, arrived in Kansas City yesterday.

•

ARTHUR HORNBLOW, JR., left Hollywood yesterday for London and Rome.

•

SAM MARX, M-G-M executive, was in Ottawa yesterday from the Coast.

SCTOA Names Unit

(*Continued from page* 1)

J. Leavitt, Gus Metzger, Russell Roger and Harry Vinnicof as a committee to hear grievances from anyone. Williams is ex-officio.

A complainant must write in a grievance, which will be screened. If found valid, the committee will act. Committeemen will not buy or negotiate contracts. SCTOA has about 350 member theatres.

New Ascap Plea May Be Valid: Williams

Los Angeles, Oct. 13.—Paul Williams, general counsel of the Southern California Theatre Owners Association, expressed the belief here that Ascap's argument urging the New York Federal Court to limit the action against it to relief only for the plaintiff, may be valid and may upset prior notions. Williams said he believes the court does not have the right to bring individuals under any decree. Meanwhile the SCTOA has voted to discontinue payments to Ascap.

FCC Will Rule on Para.-DuMont Issue

WASHINGTON, Oct. 13.—The Federal Communications Commission has reversed a previous decision and promised Paramount an early ruling on whether it believes Paramount controls Allen B. DuMont Laboratories.

The ruling will affect applications by DuMont and Paramount for six new television stations. DuMont is applying for stations in Cincinnati and Cleveland, while Paramount is seeking video outlets in San Francisco, Boston, Detroit, and Tampa. If the FCC finds Paramount does control DuMont, all of these applications will be automatically thrown out, since the two companies already have a total of five stations, and FCC rules bar any one interest from controlling more than five television stations. DuMont already has licenses for stations in New York, Washington, and Pittsburgh; Paramount has stations in Chicago and Los Angeles. Paramount officials have indicated that they might take the FCC's five-station limit rule to the courts if they can get it applied in a specific case.

The commission has also granted Balaban and Katz a license for a new experimental television relay broadcast station in Chicago, and DuMont Laboratories a license for a similar station in the "area between New Haven and Princeton, N. J."

FCC Gets 20th-Fox Bid for 12 On-Location Video Beams

WASHINGTON, Oct. 13.—Twentieth Century-Fox today asked the Federal Communications Commission to earmark 12 radio channels for the use of motion picture studios in on-location work. The request is similar to the one made by the Motion Picture Research Council, of which 20th-Fox is a member, though the specific frequencies requested differ. Company's position was presented during FCC hearings by attorney Harold E. Mott.

First Meeting of New Video Officers

First meeting of the newly-elected officers and board members of the National Film Council, will take place here this evening, to be presided over by Melvin L. Gold, president.

On the agenda are: election of chairman of the board, new schedule of dues and finance arrangements for 1949, and general policies of the organization.

Video Films Pay

(*Continued from page* 1)

the SAG reference appeared to cover Actors Equity, American Federation of Radio Artists and other talent unions as well.

Mark Woods, president of the ABC, said he was "delighted" to hear of SAG's interest, but cautioned that television today needs the help of all, actors especially, and "there aren't enough dollars yet to go around."

AFM Ban on Records Is On Indefinitely

American Federation of Musicians' ban on members playing for new records will continue in effect indefinitely as a result of the total collapse of negotiations to lift the ban, between AFM president James C. Petrillo and representatives of the record industry.

"American Federation of Musicians and industry representatives regret that current discussions failed to produce an agreement and no further negotiations are scheduled," it was said in a joint statement.

Two Presidential Reels from Warner

Two special features on the coming Presidential elections will be presented "as a public service" by Warner Pathe News as part of its regular issues during the next week, it was announced here by Walton C. Ament, vice-president of Warner News.

"The Dewey Story" is to be released Monday, while "The Truman Story" will be released next Tuesday. Each subject will run 10 minutes.

The Dewey story will be in today's issues of the four other newsreels, and the Truman story will appear in Monday's.

Producers Frown on Detroit Suit Trip

DETROIT, Oct. 13.—Because they are actively engaged in Hollywood production, independent producers Walt Disney, Samuel Goldwyn and the other producer plaintiffs in the Society of Independent Motion Picture Producers' suit against United Detroit Theatres and Cooperative Theatres of Detroit declared they cannot comply with the defendants' request that they appear here for pre-trial examination on Oct. 18. The court has yet to rule on the defendants' motion for the producers' appearance, however.

Hearings On in CSU Suit for $43,000,000

HOLLYWOOD, Oct. 13.—Federal Judge William Mathes has begun preliminary hearings in U. S. District Court here on the Conference of Studio Unions' $43,000,000 suit against the IATSE and major producers. Action charges the "IA" and studios with a conspiracy to expel CSU members from employment during the 1945 studio jurisdictional dispute.

Jackson Pk. Hearings Extended to Nov. 9

CHICAGO, Oct. 13. — Hearings in connection with the Jackson Park Theatre's $100,000 supplementary damage suit on the Loop decree which was issued in its favor here have been extended until Nov. 9 in Judge Michael Igoe's U. S. District Court.

Eight Pledge $4,000 In Tri-States Drive

HOLLYWOOD, Oct. 13.—Eight distributors have joined with Tri-States Theatre Corp. to establish prizes in the circuit's "Managers' Showmanship" drive, having contributed $4,000 to spark the contest which started Oct. 1 and will run 13 weeks. Ralph Branton of Tri-States will arrange the awards with the help of advertising managers of Paramount, 20th-F M-G-M, Warners, Universal-Int tional, Eagle-Lion, Republic and Monogram. Winners will be determined on the basis of gross profits compared with the same period of 1947. Theatres covered by the contest are in Iowa, Nebraska and Illinois.

Kusell To Preside At Southern Meet

NEW ORLEANS, Oct. 13.—Milton S. Kusell, distribution vice-president of the Selznick Releasing Organization, is due here from New York to preside at a Southern divisional sales meeting in the Jung Hotel tomorrow and Friday.

Henry G. Krumm, Southern division manager, Alfred Delcambre, Southwest district manager, and all SRO Southern sales representatives will attend.

New Chicago Suit

(*Continued from page* 1)

tem. The other companies, all of which will be named defendants, and which continue to sell under the old system of release in this area (some are non-defendants in the Jackson Park Decree), gave competing outdoor houses a two weeks' clearance priority, it was said.

ITO of Wis.-Mich.

(*Continued from page* 1)

will be national Allied president William Ainsworth, who is scheduled to address the delegates on Friday. Second day will also feature election of officers. The organization's annual banquet will climax the convention.

Convention chairman is Arnold Brumm, assisted by entertainment committee chairman Charles Trampe.

Republic Meeting

(*Continued from page* 1)

Edward L. Walton, assistant general sales manager, and Walter L. Titus, Jr., division manager, who are co-captains of the current J. R. "Jimmy Grainger 10th Anniversary Drive." Herbert J. Yates, Republic president, will address the meeting tomorrow.

Truman Honors Ryder

HOLLYWOOD, Oct. 13. — Loren L. Ryder, head of the Paramount studio sound department, has been presented a Presidential citation "for outstanding contribution to the war effort." A Government technical consultant during World War II, Ryder, who is president of the Society of Motion Picture Engineers, received the award from Brig. General Leroy H. Watson.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; Theatre Sales; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

'JOHNNY BELINDA' BRILLIANT;

Fine Work Results In Memorable Film

"JOHNNY BELINDA"
(WB)

Producer .....Jerry Wald
Direction .....Jean Negulesco
Screenplay .....Irmgard von Cube and Allen Vincent
Based on the stage play by ....Elmer Harris
Photography .....Ted McCord
Art direction .....Robert Haas
Musical score .....Max Steiner
Musical direction .....Leo F. Forbstein
Edited by .....David Weisbart

Cast: Jane Wyman, Lew Ayres, Charles Bickford, Agnes Moorehead, Stephen McNally, Jan Sterling, Rosalind Ivan, Dan Seymour, Mabel Paige, Ida Moore, Alan Napier, Monte Blue, Douglas Kennedy, James Craven, Richard Taylor, Richard Walsh, Joan Winfield. Ian Wolfe, Holmes Herbert, Jonathan Hale, Ray Montgomery.
(Running time—101 minutes)

Great is a word to be used cautiously in motion picture reviews, but great is the only word applicable to "Johnny Belinda"—a film that will take a place high in the roster of memorable screen dramas. Its poignant story has the dual advantages of being unique and compelling. It fascinates the spectator with its audacious originality and grips him with its stark realistic situations. There is nothing phoney or contrived about "Johnny Belinda"—rather, it is a sincerely moving example of celluloid craftsmanship reflecting the integrity of producer Jerry Wald. He allows no detail of supervision to obscure the beauty of the story. The Nova Scotia background complements its simplicity and a superb cast make real, vivid characters of the rural types.

As a boxoffice attraction "Johnny Belinda" is bound to be the substantial hit its magnificent entertainment values warrant. The film, clearly, will benefit as much from word of mouth advertising as by critical acclaim. Interest in the superlative performance of Jane Wyman will be a decided factor in getting the show across. For feminine audiences it is a natural.

Jean Negulesco's direction combines dramatic emphasis and pace with the required sensitivity. His artistry, and that of Jane Wyman who undertakes the difficult acting taste of portraying a deaf mute, give the picture some rare moments which linger long in the memory. It is a hard man, indeed, who does not hold back a tear as the girl says the Lord's Prayer in sign language.

"Johnny Belinda" is the story of a young doctor who comes to a Nova Scotia fishing village after a short practice in the city. Among the people he meets is Belinda, the deaf and dumb daughter of plain-spoken but warm-hearted Charles Bickford, the village miller. He recognizes her intelligence and begins to teach her sign language. With her education comes the enhancing of her beauty. Stephen McNally seduces her in a drunken moment and the girl becomes pregnant. A scandal inevitably arises and Lew Ayres, the doctor, figures prominently in the gossip. He is forced to leave

Tales of

WHEREVER MOTION PICTURES

ARE REVIEWED

YOU'LL BE READING A RAVE FOR

WARNER BROS.'

Johnny Belinda



JANE WYMAN · LEW AYRES
in
"Johnny Belinda"
with CHARLES BICKFORD
AGNES MOOREHEAD · STEPHEN MCNALLY
directed by JEAN NEGULESCO · produced by JERRY WALD
Screen Play by IRMGARD VON CUBE and ALLEN VINCENT
From the Stage Play by Elmer Harris • Produced by Harry Wagstaff Gribble • Music by MAX STEINER

WB

U. K. Films Vie for Royal Performance

LONDON, Oct. 13.—High-pressure lobbying proceeds within the British Film Producers Association inner circles over the film to be shown at the annual Royal Film Performance set for Nov. 29 at Metro's Empire Theatre.

To date, three films have been submitted to the BFPA nominating committee, which selects the film to be shown. They are: J. Arthur Rank's "Scott of the Antarctic"; Herbert Wilcox's "Elizabeth of Ladymead," with Anna Neagle, and distributed by Sir Alexander Korda's British Lion, and "The Glass Mountain," distributed by George Minter's Renown Pictures.

The American film "The Bishop's Wife" was selected last year and, under the rotating system, a British exhibit gets a turn this year.

The selection is scheduled to be made next Saturday.

Concern has been expressed that Hollywood stars might not be cooperating in the Royal Performance's stage show this year. Paramount's Norman Segal, however, has informed the British committee that he is proceeding with his Hollywood arrangements. The stage show will be produced by Jack Hulbert, musical comedy actor.

CEA Urges Boycott Of Ben Hecht Films

LONDON, Oct. 13.—General council of the Cinematograph Exhibitors Association has adopted a resolution to advise all exhibitors here of the "extreme undesirability" of playing "Ride the Pink Horse" and all other films with which writer Ben Hecht is in any way connected. It is said the action was taken because of Hecht's anti-British behavior.

This is said to virtually end here the trading of any film with which Hecht is connected. Additionally, CEA is searching the records with the view of preventing the screening of his re-issues. Walter Fuller, secretary of the organization, also was instructed to inform distributors associated with Hecht of the action.

British Film Man Here

A. E. Andrews, prominent British film distributor and director of Monarch Film Corp., London, has arrived in the United States to attend the wedding at Denver Cathedral of his daughter, Mrs. Betty Mahn, to Chap Cranmer of Denver. Mrs. Mahn is the widow of an American air officer in the R.A.F.



Korda Drops Name From His Film Titles

LONDON, Oct. 13.—Sir Alexander Korda announced that he will drop his own name from all London Films credit lines.

Says Korda: "I am not a producer now. I am an administrator. My group is to make 18 pictures a year and each will carry the name of the producer."

New Rank Terms

(*Continued from page* 1)

bargaining point in dealings with British Lion. The latter protested to Rank that he had no right to commit all distributors to his terms. CEA and Rank mutually ignored the incident and set the meeting for next Wednesday.

Rank agrees that nothing in the new pact will prohibit an exhibitor from making better deals. Additionally, he will abandon his booking tribunal and CEA has agreed to refer disputes to two arbitrators, one representing exhibition and the other distribution, and where necessary, a third independent umpire. Exhibitors express the belief that arbitration normally will not be required under the new terms.

Rank will endeavor to persuade the Kinematograph Renters Society to agree to special terms for small exhibitors.

In view of the new terms, regarded as a CEA triumph, CEA has pledged itself to do the utmost to fulfill the 45 per cent exhibitors quota which went into effect Oct. 1. Rank looks upon this as a considerable achievement. To that end he was prepared to go the limit in the appeasement of independent exhibitor customers.

It is understood that Walter Reginald Fuller, secretary of CEA, prior to the negotiations had told Rank that the latter's distribution company created considerable ill will during the last eight months and this is said to have influenced Rank in making the new deal.

UK Producers' Ire

(*Continued from page* 1)

should be "more in keeping with the present level of British production." BFPA fears that the minimum 20 pictures may prove to be the maximum. The French government, on the other hand, holds to the position that it cannot go further than that until it has discussed the matter with other countries concerned.

Apart from the 120 American films which Franch will admit annually, it has established a second category of 65 "foreign" films from all other countries, Britain among them, to be imported in the ensuing year.

The BFPA complains bitterly that the French estimate of Britain's production potential for the ensuing year is based on the unrealistic British film exports to France in 1947, which were 17 pictures. This country's present production, the BFPA claims, demands more favorable treatment than that now accorded by the French.

Samuel Hinds, 73

PASADENA, Cal., Oct. 13.—Samuel S. Hinds, 73, screen character actor and one of the founders of Pasadena's Community Playhouse, died here today. One of his most recent pictures was "Call Northside 777."

U. S. Suit Delay

(*Continued from page* 1)

Justice has proposed a sweeping program of divestiture.

Circuit Court Judge Augustus Hand, senior member of the three-judge court, obviously annoyed at the new delay, commented that he "might send this to a master or something like that." To that he added: "We are not going to spend our lives on this movie case."

James F. Byrnes, special attorney for 20th Century-Fox, assured the court that no further postponement is in view at the present time.

D. of J. Agreed to Date

Byrnes made the oral bid for the Nov. 8 hearing date. Prosecuting attorney Robert Wright thereupon informed the court that the Department had no objections, adding that Attorney General Tom Clark had agreed to the new date in discussions with film company attorneys. Clark currently is conducting negotiations for a consent decree with the defendants.

Although yesterday's session was scheduled to be a hearing on entry of proposed findings and judgment, formal briefs were not filed by any of the defendant companies on the grounds that they have had insufficient time to analyze the Government's voluminous document on a proposed order.

Loew's memorandum had the effect of indicating a lengthy court contest over the procedure to be followed in testing divestiture, especially in the event that consent decree negotiations fail. "There is no basis for relief in the proof furnished by the Government," Davis charged. He made it clear that he was speaking only for his client, Loew's. "Dismissal and not divestiture should be the relief" if the Government fails to supply the proof directed by the Supreme Court, he argued.

Under attack by Davis, in his memorandum, was the Government's recommendation that hearings on the legality of origin of theatre interests be eliminated. "Only by the consideration of specific divestiture proposals by the Government and the defendants may the issues left open by the Supreme Court be defined and joined," the Department had said.

Record 'Barren of Proof'

Davis countered with this: "The record in U. S. vs. Paramount as it stands today is barren of proof regarding the circumstances of Loew's acquisition of its theatres or that the strategic position of any Loew theatre in a particular locality has been maintained by reason of illegal restraints of trade and not by reason of the merits of the theatre.

"That the record does lack such proof was clearly recognized by the Supreme Court when it said, 'What finding would be warranted after such an inquiry in the present case, we do not know'."

Loew's memorandum continued: "The defendant Loew's has no desire to impose on this court the undertaking of receiving further proof, but at the same time, if the proof directed by the Supreme Court is not now offered by the Government, dismissal and not divestiture should be the relief."

In conclusion; Loew's insisted that the Government's suggested procedures on splitting joint interests, complete divestiture and cross-licensing all are subject to the same defect, namely, lack of proof to warrant such relief.

Yesterday's session marked the official debut in the case of District Court Judge Alfred C. Coxe in the proceedings, joining veterans Hand and District Court Judge Henry W. Goddard. Coxe replaced the late John Bright.

Judge Hand expressed regret that he had overlooked the fact that the hearing yesterday conflicted with the observance of Yom Kippur.

US Likes RKO Plan

(*Continued from page* 1)

its entire theatre holdings with the exception of a few key showcases. A plan of this kind has been reported in work from almost the day that Howard Hughes acquired stock control of RKO from Atlas Corp.

Trade observers are inclined to give credence to the reported intention of disposing of the RKO theatres, inasmuch as it is known that little less than that could be regarded as "acceptable" by the Government, which characterized the RKO offer as "much better than anything so far proposed by the other four theatre-owning defendants."

The other four, Loew, Paramount, 20th Century-Fox and Warner, are conducting their own decree negotiations with the Department of Justice. It is generally believed that Attorney General Tom Clark's agreement to postponement yesterday of Federal Court hearings here in the case to Nov. 8, was designed primarily to provide time to push the negotiations with the four to a conclusion.

'Little 3' Waiting

(*Continued from page* 1)

either by consent decree or lengthy trial, it was evident yesterday.

Columbia and Universal were not represented at yesterday's hearing before the three-judge Federal Court here. United Artists sent only an observer. Even that may be dispensed with if the case continues for a long period.

The Department of Justice early this week agreed that "it hardly seems worthwhile for the Little Three to send their lawyers to court" hereafter.

The Little Three cannot be severed from the case but they have virtually nothing at stake in the continuing contest between the Government and the theatre-owning companies.

Johnston in London

(*Continued from page* 1)

ing of production and distribution executives of major companies, following his arrival in New York on Saturday.

Johnston had a "friendly" conference today with J. Arthur Rank and is endeavoring to see Harold Wilson, BOT president, tomorrow.

WASHINGTON, Oct. 13.—It now looks as though it will be Nov. 10 or later before that meeting of top industry executives is held in Hollywood, Motion Picture Association of America officials said today. They said they are having trouble getting all of the top company officials lined up for the meeting, which will probably last three days or more.





He keeps the action in character...

THE STAR makes his getaway. In his wake "confusion" reigns . . .

This background action, however, is far from helter-skelter; the assistant director has controlled it carefully to keep it characteristic of the scene.

But handling supporting actors is only one of many ways the assistant director daily demonstrates his sense of the dramatic and his organizing skill. He is liaison man between his director and the cast and crews. He prepares shooting schedules . . . assigns calls . . . anticipates every need that might arise.

Thus the difference between efficient picture making and a film that goes beyond its schedule and budget often rests with him. Yet heavy as his responsibility is, it's lightened not a little by the faithful performance of a "partner" in efficiency—the famous Eastman family of motion picture films.

EASTMAN KODAK COMPANY
ROCHESTER 4, N. Y.

J. E. BRULATOUR, INC., DISTRIBUTORS
FORT LEE • CHICAGO • HOLLYWOOD

RKO SHOWMANSHIP SETS UP SPECTACULAR OPENINGS FOR CHICAGO -MILWAUKEE OCT. 19-20!



RKO's big new first-run Western launched with blazing campaigns at Palace, Chicago, and Riverside, Milwaukee! . . . City-wide parades . . . Front-page newspaper sponsorship . . . Stars, functions, fetes...Top radio, exploitation coverage!...Red-hot hooray for the kind of openings that "The Showmanship Company" made famous!

RKO PRESENTS

DICK POWELL · JANE GREER in

Station West

with AGNES MOOREHEAD · BURL IVES

Hear Burl Ives as the troubadour of Rock Pass!





TOM POWERS · GORDON OLIVER · STEVE BRODIE

DORE SCHARY in Charge of Production

Produced by ROBERT SPARKS

Directed by SIDNEY LANFIELD

RKO RADIO PICTURES

Screen Play by ERANK FENTON and WINSTON MILLER

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

64. NO. 74 NEW YORK, U. S. A., FRIDAY, OCTOBER 15, 1948 TEN CENTS

DO NOT REMOVE

Others to Hit Gov't Order In Para. Case

To Join Loew's, Holding U. S. Offers No Proof

Government's proposed order of divestiture for entry in the Paramount case is expected to be subjected to more vigorous lashing by theatre-owning defendants in memoranda to the New York Federal Court either today or early next week.

Twentieth Century-Fox and probably others will join with Loew's, which filed earlier, in the charge that the Department of Justice has failed to supply new proof adequate to warrant its sweeping proposals on divestiture, it is understood. Special counsel John W. Davis for Loew's has asked dismissal of the suit unless the Government can come up with concrete evidence of trade restraints or other illegal practices involving theatre acquisitions and operations.

Meanwhile, it is learned that the

(*Continued on page 5*)

Conciliation Will Spread Fast: Smith

MILWAUKEE, Oct. 14.—Praising the manner in which the 20th Century-Fox conciliation plan devised with Ben Berger, North Central Allied president, has been operating, particularly in Minneapolis, Andy W. Smith, Jr., 20th-Fox general sales manager, predicted today that the plan would be functioning in every territory in six months. He spoke at the opening session of the Independent Theatre Owners of Wisconsin and Upper Michigan convention which is being held at the Schroeder Hotel here.

Berger, who followed Smith with an explanation of the plan, endorsed the 20th-Fox executive's views and

(*Continued on page 4*)

Complaint Unit Set Up by K-MTA Board

KANSAS CITY, Oct. 14.—Setting up of a committee to receive complaints and assist in solving differences between distributors and exhibitors on complaints from exhibitors in the Kansas City area was among the first business acted upon by the new officers and directors of Kansas-Missouri Theatre Association at their first board

(*Continued on page 4*)

Gov't Proposal on Schine Order Ready

Washington, Oct. 14.—The Government's proposed findings and order in the anti-trust case against Schine Theatres has been completed here and forwarded to Buffalo. Defendants will have 60 days to answer, after which a trial date will be set by the U. S. District Court there.

Eyssell Denounces 'Prophets of Gloom'

KANSAS CITY, Oct. 14.—The film industry of this city tonight gave a testimonial dinner to Gus Eyssell, president of Radio City Music Hall, New York, and executive manager of Rockefeller Center, in the Hotel Muehlebach here, on the occasion of his 30th anniversary in show business. Eyssell started as an usher at the Isis Theatre here in 1918.



Gus Eyssell

Eyssell paid tribute to Frank Newman who gave him his first important position as treasurer of the Newman Theatre,

(*Continued on page 5*)

Bids to E.C.A. For $1-Million From Industry

WASHINGTON, Oct. 14. — The Economic Cooperation Administration is processing applications from the motion picture industry for guarantees of the convertibility between now and next April 1 of close to $1,000,000 of the costs of distributing films in Marshall Plan countries.

ECA officials said "about half a dozen applications" are involved. They would not specify countries or companies. Some Asiatic areas are involved, as well as European.

ECA officials have been promising for several weeks to announce "within a few days" approval of the first guarantee, some $230,000 for Motion Picture Export Association operations in

(*Continued on page 4*)

Cowdin Absolved in Stockholder's Suit

Federal Judge Harold Medina yesterday dismissed in U. S. District Court here the suit brought by Universal-International minority stockholder Stephen Truncale against U-I board chairman J. Cheever Cowdin together with four other company executives, all charged with improper stock transactions. Cowdin,

(*Continued on page 5*)

Decision In A Week on TOA Appeals Board

Considering Extension of Conciliation Machinery

Theatre Owners of America's executive board will meet here late next week to decide whether or not a central appeal board should be established to complement exhibitor-distributor concilation machinery set up by TOA member units, Gael Sullivan, TOA executive director, disclosed here yesterday. It was decided at the recent TOA convention that the organization would embrace conciliation only on the local level, although meanwhile consideration should be given to the proposal that an appeal board made up of exhibitor and distributor representatives be formed.

Another proposal due for examination by the TOA executive board at next week's meeting concerns the possibility of including the American Ar-

(*Continued on page 5*)

Report Rank in Bid To Pickford on UA

HOLLYWOOD, Oct. 14.—Mary Pickford has reportedly rejected a bid by J. Arthur Rank for United Artists' British holdings, amounting to 25 per cent of Odeon stock, and Rank, according to these same reports, is said to have scouted Miss Pickford on acquiring a controlling interest in UA here.

Miss Pickford was said to be firm on not selling any of her UA stock at any price and at any time, but is said to have left the door open for Rank to join UA as a partner.

Miss Pickford is also reported to

(*Continued on page 4*)

Deneau Will Preside At Pittsburgh Meet

Eastern division sales meeting of Selznick Releasing Organization will be held tomorrow and Sunday at the William Penn Hotel, Pittsburgh, with Sidney Deneau, assistant general sales manager, presiding.

Among others to attend are: J. E. Fontaine, Eastern division manager; Saul J. Krugman, Atlantic district manager; Tom Duane, New England district manager; J. J. Oulahan, Central district manager, and all sales representatives of the Eastern division.

Rank's 'Concessions' to Small Houses Hit by KRS

LONDON, Oct. 14.—The Kinematograph Renters Society general council has issued sharp criticism of J. Arthur Rank's supposed promise of extended exemption to small exhibitors in connection with KRS rental terms. Rank is said to have promised a new exemption ceiling of 150 pounds ($600) per week gross to replace the old ceiling of 125 pounds ($500), bringing more small houses under it.

Regarding CEA's new sliding scale agreement with Rank under which rentals range from 33 to 50 per cent for a complete program, members of the distributors group declare that this is another example of CEA astute maneuvering, the exhibitors believing that if they jockey Rank into position other distributors would fall in line.

However, KRS in refusing to ex-

(*Continued on page 4*)

Colosseum To Meet On Pact Tomorrow

Chicago, Oct. 14.—Some 75 film salesmen delegates from all over the U. S. will convene here on Saturday for the first national convention of the Colosseum of Motion Picture Salesmen of America, which will be presided over by Colosseum president A. W. VanDyke.

Principal order of business will be consideration of the terms of the union contract agreement reached recently by Colosseum and distributor negotiators. Convention will run through Sunday.

Personal Mention

ADAM BLUMENTHAL, chairman of the Cinecolor board, will leave Hollywood today for New York for an executive board meeting on Oct. 28.

•

WILLIAM M. PIZOR, vice-president and general foreign sales manager of Screen Guild Productions, has left New York by plane for Europe. He will return in about two months.

•

RICHARD F. WALSH, IATSE international president, is due to arrive in Hollywood next week from Vancouver, B. C.

•

LOUIS B. MAYER, M-G-M production head, and HOWARD STRICKLING, studio publicity director, will leave New York for the Coast tomorrow.

•

RUDY BERGER, M-G-M Southern sales manager, will return to his Washington headquarters today from New York.

•

HARRY SHAW, Loew's Poli New England zone manager, was here yesterday from his New Haven headquarters.

•

FRED C. QUIMBY, head of M-G-M short subject production, is due back on the Coast tomorrow from New York.

•

A. J. O'KEEFE, Universal-International assistant general sales manager, returned to New York yesterday from Boston.

•

JEFF LIVINGSTON, Universal-International press contact, will leave here today for Los Angeles and San Francisco.

•

ARCH OBOLER, writer-producer-director, is due to arrive in New York today from Capetown, South Africa.

•

MONTAGUE SALMON, managing director of the Rivoli Theatre here, is in Hollywood.

•

CLAUD MORRIS, special representative for Edward Small Productions, is in Atlanta from New York.

•

ARTHUR KELLY, United Artists vice-president, is due back in New York from London early next week.

•

LLOYD BACON is due in New York shortly from the Coast.

•

JOE FELDER of Favorite Films has returned to this city from Detroit.

S.P.G. Unit Ratifies New E-L Agreement

Members of the Screen Publicists Guild, United Office and Professional Workers of America, CIO, last night voted to ratify terms of a new contract with Eagle-Lion. Details of the pact were not disclosed. Signing of the agreement is expected in the next few days.

Insider's Outlook

By RED KANN

HERE and there British official policy regarding Israel has brought about attempts at boycotting British films. The move is not widespread, never has been, meets no encouragement from the industry and is not condoned by responsible Jewish agencies supporting the new state.

To attempt to deny the decided displeasure of the American companies over the English quota law and the booking policies pursued by the J. Arthur Rank companies would prove a rather lame enterprise. This state of affairs has cut into the diminishing interest in English films, whatever it may have been when Rank officially was on record in opposition to any quota. Consequently, there is neither a wild scramble nor headlong rush toward playoffs on British product, despite the fact that such revenue would augment the $17,500,000 which the American industry is permitted to withdraw from England.

■

However, the determining factor is something else. Rank talks about failure at peace or genuine understanding between both industries until British films "receive reasonable playing time in the U.S.A." It depends entirely upon how he thinks "reasonable playing time" is to be developed and whether he would be satisfied by getting it through competition or by having it underwritten by the majors here as a *quid pro quo* helping to preserve their position in Britain.

Since he has stated several times that he is prepared to take his chances, which presumably is his position currently, he should understand that he must succeed, or continue to fail, in the American market in direct ratio to the product he supplies it. The American showman has no need to turn to other sources than Hollywood for mediocrity. Hollywood does handsomely by him on that score.

■

When Rank gets to know what evidently he is yet to learn about the men of exhibition in this country, he will appreciate that they are in the business of running theatres for profit. They have been profiting the most and the longest by way of Hollywood, but no one who professes to a surface knowledge of this industry has the slightest doubt of how rapidly allegiances can switch if there is a reason.

It delves into the primer again to observe that the exhibitor will play any producer's film whether made in California, England or the Gobi desert if he can buy it at a price he calculates to be right and believes he can make a dollar in the doing.

■

There is no widespread opposition to British films beyond the opposition set up by British films themselves. When Arthur H. Lockwood, TOA president, pointed this out the other day he was reflecting with unerring accuracy the thinking of the general body of American theatremen. "There will be playing time, and ample playing time, for any foreign film which meets the American public's standard," he said.

Rank did well here with "Henry" nationally and is doing well now with "Hamlet" in Boston and New York. The simple truth is audiences were waiting.

The entire situation, clearly, once again reverts to its inescapable conclusion: When England, or France, or X, Y and Z send to this country merchandise audiences want to see, the result will never be in doubt.

■ ■

Unbelievable, yet true, is the incident of the producer who telephoned the sales manager to inquire how his Broadway run was doing. Opening week was O.K. at $60,000. Second week was down to $53,00. "I'm disappointed, but it's nice that we took in all that money," said the producer.

"We took it in all right, but what with the theatre rental and the very heavy newspaper and radio campaign, we aren't doing so well," replied the sales manager. "You understand, of course, that the $53,000 I'm talking about is gross, not profit."

"Is there a difference?" asked the producer.

■ ■

Hollywood, including David O. Selznick, has been after Roberto Rossellini, director of "Open City" and "Paisan." Negotiations reached a stage, at one point, where a long and intricate contract was forwarded to him in Rome. He got as far as the first seven pages, then gave it up. But not before cabling Selznick:

"How would *you* like to be the director of my next picture?"

Agreement Near in Wallis-Para. Deal

Agreement on a new producing-releasing deal between Hal Wallis Productions and Paramount is nearer as a result of meetings held here over the past two weeks. Final negotiations are scheduled to be held in Hollywood in the near future.

Wallis is scheduled to leave here for the Coast today and may be followed by Joseph Hazen, president of Wallis Productions, in a day or two. "Bi... Victory," their 12th and last pict... for Paramount on their present contract, will be ready to go before the cameras soon.

Silverman Named Republic Manager

Appointment of Norman Silverman as Republic Pictures' Philadelphia branch manager, effective Nov. 1, was disclosed here yesterday by James R. Grainger, executive vice-president in charge of distribution.

$1.06 Columbia Dividend

Columbia Pictures' board of directors, at a meeting held here yesterday, declared a quarterly dividend of $1.06¼ per share on the $4.25 cumulative preferred stock, payable on Nov. 15, to stockholders of record on Nov. 1.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
ROCKEFELLER CENTER
Greer Garson, Walter Pidgeon
in "JULIA MISBEHAVES"
Peter Elizabeth Cesar
LAWFORD - TAYLOR - ROMERO
A Metro-Goldwyn-Mayer Picture
SPECTACULAR STAGE PRESENTATION

EDWARD G. ROBINSON
GAIL RUSSELL
JOHN LUND in
"Night has a thousand Eyes"
A Paramount Picture
in Person TONY PASTOR And His Orchestra
Plus ROCHELLE & BEEBE
NIP NELSON
Extra Added Attraction VIC DAMONE
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

HOWARD HAWKS'
RED RIVER
CAPITOL B'way & 51st St.
— In Person —
TONY & SALLY DeMARCO
BUCK & BUBBLES
NAT BRANDWYNNE and his Orch.
ROSE MARIE

JEANNE CRAIN WILLIAM HOLDEN
Edmund Gwenn
'APARTMENT FOR PEGGY'
Twentieth Century-Fox Picture
Color by Technicolor
ON VARIETY STAGE — KAY THOMPSON
AND WILLIAMS BROS. — ROLLY ROLLS
ON ICE STAGE — RHYTHM IN PLAID
ROXY 7th Ave. & 50th St.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; Theatre Sales; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

. . . on its way to

Radio City Music Hall



UNIVERSAL-INTERNATIONAL presents

JOAN FONTAINE · JAMES STEWART

in

"YOU GOTTA STAY HAPPY"

with EDDIE ALBERT

ROLAND YOUNG · WILLARD PARKER

PERCY KILBRIDE

Produced and written for the screen by

KARL TUNBERG

From the Sat. Eve. Post serial by ROBERT CARSON

Directed by H. C. POTTER

A WILLIAM DOZIER PRESENTATION

A RAMPART PRODUCTION

A WONDERFUL COMEDY FROM U-I

to take its place

with the great comedy hits

of all time!

Universal International

Mochrie Sees 'Joan' As Industry Boon

Sierra Pictures' "Joan of Arc" will be an ambassador of prestige and goodwill for the industry, answering and silencing many of its critics, Robert Mochrie, RKO Radio sales manager, predicted here yesterday.

Speaking at a Juncheon at the 21 Club which preceded a screening of the picture for trade press editors, Mochrie said the picture merits the support of the entire industry because in itself it is a substantial contribution to better public relations.

Mochrie asserted the film would be among the industry's all-time top-grosses, not excepting "Gone With the Wind."

He said the Victoria Theatre on Broadway, where the picture will open on Nov. 11, is being almost entirely rebuilt, with appropriate decorative motifs, to house "Joan of Arc."

"It is a rare instance of a theatre being built around a picture," Mochrie said.

Walter Wanger, producer of the $4,600,000 picture, told the gathering that when fiscal problems were encountered during its production he went to Alex Ardrey, of Bankers Trust Co., the largest investor, with $3,000,000 in the production, and suggested that $1,000,000 could be saved by making the picture in black and white.

Ardrey rejected the idea and urged Wanger to go ahead with Technicolor. Not only that, but after seeing the picture Ardrey told Wanger Bankers Trust was so proud to be associated with it he wanted a "Joan of Arc" banner to display in the bank. He got it.

Schlaifer Efforts Reviewed by 'Tide'

Charles Schlaifer, advertising-publicity director of 20th Century-Fox, comes in for special recognition in the current issue of *Tide*. Citing the job he has done in putting the company's "advertising machinery to work for the local exhibitor," the magazine points out that since promoted to his present post three years ago, he has concentrated on "building and cementing solid relations between 20th Century and 14,000 exhibitors who ultimately decide what pictures will show in what theatres." The article observes that "Schlaifer's nurturing of 'grassroots' should mean more and more at the box-office."

Methods used by Schlaifer in gearing the company's "entire exploitation machine for maximum effect" are reviewed.

Films' ECA Bids

(*Continued from page* 1)

occupied Germany. Wayne C. Taylor, special assistant to ECA administrator Paul Hoffman, today repeated the promise. He explained that the MPEA guarantee has been picked as the "guinea pig" for all information media contracts, and that work on the contract has accordingly proceeded with care. Future guarantees will move more quickly, he declared.

Taylor indicated that 19 information media guarantees, covering the total $10,000,000 allotted by Congress for this work through April 1, are in various stages of progress. He refused to say how much of this is for films, but other ECA officials revealed the rough estimate of "close to $1,000,000." The rest will go to newspaper, magazine, and book publishers.



more than 3,000 major
U. S. theatres use
"Voice of the Theatre"
SPEAKER SYSTEMS

Only the best in sound is a sound investment today. The best is "Voice of the Theatre" — proved superior to all other speaker systems by impartial acoustical measurement tests—witnessed by the leading scientists of the motion picture industry.

☆ ☆ ☆ ☆ ☆ ☆ ☆

There is a "Voice of the Theatre" speaker system for every size theatre. Ask your supply dealer for information about modernizing your present system with "Voice of the Theatre". "Voice of the Theatre" speaker systems are supplied as standard equipment by most leading theatre sound system manufacturers.



161 Sixth Ave., New York 13, N. Y.

ALTEC LANSING CORPORATION

1161 N. Vine St., Hollywood 38, Calif.

Rank, KRS

(*Continued from page* 1)

tend its terms to 150 pounds, has reminded Rank that he is a member of that organization and must abide by its rules. In his new pact with the CEA, which still is subject to formal ratification, Rank pledged to make an attempt to persuade the KRS to lift the small exhibitor terms to the 150-pound level. Exhibitors will persist in their efforts to achieve that adjustment with KRS generally.

Rank's new sliding scale formula evoked bitter criticism but KRS members concede that he has the right to negotiate on his own terms with his customers so long as they are within the pattern of the KRS general terms.

Typical of the critical comment was this by a leading American distributor: "CEA has cleverly engaged in a game of tactics. Between themselves they agreed that if they extracted terms from Rank the remainder of distributors would follow. Unfortunately, Rank fell for it. He probably felt that he could not refuse it. He obviously wants to be on good terms with his customers. My opinion is that he would be better advised to take notice of the groups of which he is a member and engage in proper discussions with them."

Rank's move to appease indignant exhibitors is seen as clearly utilizing the latter to exact similar terms with American distributors here and consequently the American feeling towards Rank has grown to bitter resentment.

It is understood that Rank's rival British producers, notably Sir Alexander Korda, propose to raise the whole question before the British Film Producers Association.

Smith on Conciliation

(*Continued from page* 1)

referred to "Red Kann's recent article in MOTION PICTURE DAILY" to illustrate his points. He concluded by demanding that "the compulsory percentage situation be eliminated completely."

Asserting that greater cooperation in the industry would "increase box office receipts," Leon J. Bamberger, RKO Radio sales promotion manager, commented upon the interest taken in "second rate" pictures and insisted that they were every bit as good as the big attractions, but that they lacked the exploitation. Proper exploitation of these films, he added, would make their cost prohibitive.

Trueman Rembusch, president of Associated Theatre Owners of Indiana, in discussing television, maintained that how it operates and the costs involved make it too expensive and offers too many problems at this time to risk its use in theatres.

Also among the speakers was Dave Palfreyman, director of the Motion Picture Association of America's theatre service department, who discussed the role of public relations and the theatre.

K-MTA Board

(*Continued from page* 1)

meeting today. Personnel of the committee has not been selected.

Frank Plumlee, one of the new directors, announced his resignation because he is leaving the territory. Plumlee is joining Tom Edwards as a partner in the Edwards-Harris circuit, having resigned as district manager of Theatre Enterprises after an association of 13 years.

French, Italian Ads Swamp US in Brazil

French, Italian and other films are capturing playing time normally going to American films in Brazil and other South American countries because distributors of such films advertise them extensively in newspapers and trade papers whereas American distributors have been retrenching. So finds Nat Liebeskind, exhibitor and distributor, just back from six months in Argentina and Brazil.

Booking combines are springing up in those countries, he also states. "American distributors, however, are encouraging their rise, but the practice still can be nipped in the bud if the industry attacks the problem intelligently," he declares.

Liebeskind believes the American industry is in a position to defeat the Brazilian Control Commission now seeking to fix film rentals and admsision prices provided forceful action is taken.

"Theatre prices in Brazil, where the cost of living is higher than in the United States, are the cheapest in Latin America. Nevertheless, the Control Commission is committing itself to a peak of 40 per cent on rentals and a ticket high of about 30 cents, first-run, depending upon the theatre and its physical equipment. The powers of the commission are so broad that, under foreseeable circumstances, it can drive first-run admissions to as low as 10 cents.

"American film continues in greatest demand in that market, which is the reason why the situation no doubt can be corrected if the industry here takes proper action," he added.

While in South America, Liebeskind launched "Symphonie Pastorale," which he has purchased for Brazil, Mexico, Peru, Bolivia and Ecuador.

Woodham-Smith Here On 'Routine' Visit

G. I. Woodham-Smith, board member and chief counsel for the worldwide J. Arthur Rank interests, arrived here yesterday on the *SS Queen Mary* "on a routine visit to look into legal matters." While here he will confer with Robert S. Benjamin, president of the American Rank Organization. He will remain until about Nov. 6.

Other arrivals on the same ship were Robert Lury, Universal-International representative in the Far East and Elsa Maxwell, newspaper columnist, who declared that "U. S. pictures did not get a fair trial in the Venice Film Festival." She urged that U. S. producers have their own festivals abroad.

Italian Picture To Aid Runyon Fund

Proceeds of the Oct. 20 premiere of Lux Productions' "Tragic Hunt," which received an award at the International Film Exposition in Venice, will be donated to the Damon Runyon Memorial Fund by Films International of America, distributor, and the Ambassador Theatre.

Rank Bid on UA

(*Continued from page* 1)

be considering plans for a large dollar pool for secondary financing of independents releasing through UA. Efforts to obtain confirmation of these reports were unsuccessful.

SMPE Will Stress Theatre Television

Leaders in the field of large-screen television development for the motion picture industry will reveal and discuss major advances in research and equipment engineering during the past few months at the 64th semi-annual convention of the Society of Motion Picture Engineers, to be held at the Hotel Statler in Washington, Oct. 25-29, it is announced by Loren L. Ryder, SMPE president.

Papers on the subject have been concentrated on the opening session, next Monday afternoon. They include: "Effects of Television on Motion Picture Theatre Attendance," by Ralph B. Austrian; a report on the showing of television pictures of the Louis-Walcott championship fight before a regular paying audience in Philadelphia's Fox Theatre last June, by Roy Wilcox of RCA Victor, and H. J. Schafly of 20th Century-Fox; a discussion of Paramount's intermediate film system of theatre television, by Richard Hodgson of Paramount Pictures; "Equipment for Television Photography," by Ralph V. Little, Jr., of RCA Victor; a description of a new television recording camera intermittent, by J. M. Wall, and "New Developments in Cadmium-Mercury Lamps for Motion Picture and Television Studio Lighting," by E. W. Beggs of the Westinghouse Lamp Co.

Cowdin Absolved

(*Continued from page* 1)

Judge Medina ruled, did not violate Sec. 16-B of the Securities and Exchange Commission Act of 1934, as alleged, since the stock which Truncale said Cowdin had acquired illegally was presented by the latter to charitable institutions as gifts and, hence, no profit accrued to Cowdin.

Cowdin was the second U-I executive to be absolved of the charges, a previous dismissal having been won by vice-president and general counsel Charles Prutzman. Attorneys for the remaining plaintiffs, Nate Blumberg, William A. Scully and Clifford Work, are reported to be preparing motions for dismissal, for filing shortly. Hugh Pickering of the law firm of Mudge, Stern, Williams and Tucker, was counsel for Cowdin.

Youngstein Names 9 To AMPA Committees

Max E. Youngstein, president of the Associated Motion Picture Advertisers, here, has appointed chairmen and co-chairmen of six committees for AMPA, as follows: Charles Alicoate, Jack Kopstein, Ray Gallagher, Abe Dash, relief fund committee; Gordon White, delinquents and dues committee; Harry Blair, publicity; Chet Friedman, tickets; Lige Brien, special events, and Herman Schlier, entertainment.

60-Day Extension in SIMPP Detroit Suit

DETROIT, Oct. 14.—Time for filing answers to the anti-trust action filed some time ago by the Society of Independent Motion Picture Producers against United Detroit Theatres and Cooperative Theatres has been extended 60 days in Federal District Court here. Defense lawyers need that much additional time, they told the court.

Eyssell Denounces

(*Continued from page* 1)

and in a concluding note took issue with those "prophets of gloom" who predict that the future is grim.

Eyssell paid tribute to Frank Newman who gave him his first important position as treasurer of the Newman Theatre, and in a concluding note took issue with those "prophets of gloom" who predict that the future is grim.

"The future belongs to those who know their business, who have courage, who do not expect to get something for nothing, and who realize that they must serve their community and their country," he declared.

'Survived Other Crises': Eyssell

"We are facing a crisis," Eyssell admitted. "But we have faced crises before. We once had to cope with the transition from silent films to sound. We have had to meet the competition of radio. In their time, these were great challenges and they were accompanied by the same predictions of gloom and pessimism that we keep hearing. I only ask you to remember that we not only survived them but grew bigger and better.

"We are fighting for our lives," he continued. "The fact is that under our system of free enterprise every business every day is fighting for its life. It is that competition which gives our economy the vitality that cannot be found in the controlled and planned economies of totalitarianism."

Chairman of the dinner committee was Elmer C. Rhoden. Ben Shlyen, Arthur H. Cole and Senn Lawler were co-chairmen. Committee members included Barney Allis, George Baker, R. R. Biechele, Nathan Cohen, M. A. Cohn, James Castle, Bernie Evans, Sy Friedman, Carl Gebert, Barney Joffee, Finton Jones, Landon Laird, James Lewis, Frank Plumlee, Roy Roberts, Clarence Schultz, Felix Snow, William Truog, Don Walker and Robert Withers.

Some 250 Reservations Made

Approximately 250 reservations had been made. Ed Sullivan, New York columnist and radio commentator, was master-of-ceremonies. Walter Pidgeon, M-G-M star, represented the studios.

Among those on the reservation list were the following from New York: Ned E. Depinet, Harry Michalson, William F. Rodgers, Spyros P. Skouras, Herman Robbins, George F. Dembow, John J. O'Connor, E. T. Gomersall, Maurice Bergman, Charles M. Reagan, and from other points: Charles P. Skouras, Los Angeles; Frank Newman, Seattle; George A. Smith, Los Angeles; George P. Giroux, Hollywood; H. R. Beiersdorf, Dallas; Pat McGee, Denver; John Meinardi and Jim Castle, St. Louis; Ralph Ayers and E. L. Roberts, Lincoln, Neb.; R. J. O'Donnell, Dallas; Tom Edwards, Farmington, Mo., and R. R. Winship, Phillipsburg, Kans. Also present were many executives from Fox Midwest and Durwood and Commonwealth Theatres; district and branch managers of film companies, prominent Kansas City businessmen, personal friends of Eyssell, and civic officials.

Kaye Film Premiere

Samuel Goldwyn's "A Star Is Born," starring Danny Kaye and Virginia Mayo, will have its world premiere at the Astor here on Tuesday, with a contingent of stars, headed by Hugh Herbert, on hand.

Six Films Rated 'B' As Legion Reviews 11

Eleven more pictures have been rated by the National Legion of Decency, with six receiving "B" ratings. In A-I are Columbia's "Rusty Leads the Way," and Republic's "Son of Rusty." In A-II are 20th Century-Fox's "Bungalow 13," Universal-International's "Rogues' Regiment" and 20th Century-Fox's "Unfaithfully Yours."

Rated "B" are Artkino's "Die Fledermaus," Eagle-Lion's "The Red Shoes," 20th Century-Fox's "Road House," RKO Radio's "A Song Is Born," Films International's "Symphony Pastorale," and M-G-M's "The Three Musketeers."

Hit Gov't Order

(*Continued from page* 1)

New York three-judge expediting court's approval of postponement to Nov. 8 of the new hearings in the case actually constituted a reversal of a decision by a senior jurist. The defendants' bid for the postponement was rejected on Oct. 7 when they addressed themselves to Circuit Court Judge Learned Hand in accordance with judicial procedure.

Industry opinion is that the switch might be attributed to a direct request from the Department of Justice for more time to explore consent decree proposals. It is said that Attorney General Tom Clark sanctioned the new date for the hearing after Judge Learned Hand had decided against the request.

New WB-Wyman Pact

BOSTON, Oct. 14.—Jane Wyman has been signed to a 10-year contract by Warner. The actress was here on a personal appearance tour.

Five Are Started And Five Finished

HOLLYWOOD, Oct. 14.—There was no change in the production index, which still remains at 27. Five new films were started while an equal number were completed.

Shooting started on "Hidden Danger," Monogram; "The Clay Pigeon," RKO Radio; "The Beautiful Blonde from Bashful Bend," 20th Century-Fox; "The Amboy Dukes," Universal-International; "Colorado Territory," Warner.

Shooting finished on "Make Believe Ballroom" and "Blondie's Big Deal," Columbia; "Reign of Terror" (Wanger), and "An Old Fashioned Girl" (Equity), Eagle-Lion; "Renegades of Sonora," Republic.

TOA To Decide

(*Continued from page* 1)

bitration Association in the scheme of things. Arbitration was suggested as a final resort if exhibitor-distributor differences could not be settled by an appeal board. Sullivan indicated, however, that feeling among TOA leaders is that the expense that goes with arbitration could be prohibitive; hence, it is regarded as unlikely that the TOA board will probe very deeply into the arbitration angle.

Sullivan said that some TOA leaders have expressed skepticism over the workability of an appeal board, largely on the ground that it could be difficult to find exhibitor and distributor appeal board representatives who would be sufficiently free of bias in favor of their own factions. He said a final decision on that score, however, would have to be worked out by the TOA executive board.



Mr. Exhibitor: HERE'S YOUR BOX-OFFICE SCORE CARD FROM REPUBLIC!

	Box-Office Guarantee	Mass Appeal Entertainment	Proven Titles Star Names	Exploitation Angles
"JANE DOE" starring RUTH HUSSEY · JOHN CARROLL · VERA RALSTON	✓	✓	✓	✓
"MOONRISE" A FRANK BORZAGE Production starring DANE CLARK · CAIL RUSSELL · ETHEL BARRYMORE	✓	✓	✓	✓
JOHN STEINBECK'S "THE RED PONY" A CHARLES K. FELDMAN Presentation A LEWIS MILESTONE Production starring MYRNA LOY · ROBERT MITCHUM · Color by TECHNICOLOR	✓	✓	✓	✓
"MACBETH" A CHARLES K. FELDMAN Presentation A MERCURY Production starring ORSON WELLES and Great Cast!	✓	✓	✓	✓
"DRUMS Along the AMAZON" starring George BRENT · Vera RALSTON · Brian AHERNE · Constance BENNETT	✓	✓	✓	✓
"ANGEL IN EXILE" starring JOHN CARROLL · ADELE MARA with THOMAS GOMEZ	✓	✓	✓	✓
"THE PLUNDERERS" IN TRUCOLOR starring ROD CAMERON · ILONA MASSEY · ADRIAN BOOTH · FORREST TUCKER	✓	✓	✓	✓
"THE LAST BANDIT" IN TRUCOLOR starring WILLIAM ELLIOTT · ADRIAN BOOTH · FORREST TUCKER	✓	✓	✓	✓
ROY ROGERS TRUCOLOR WESTERNS	✓	✓	✓	✓
4 SUPER SERIALS · 20 VARIETY FEATURES · 14 ACTION WESTERNS	✓	✓	✓	✓
Total	100%	100%	100%	100%



Join us in honoring JIMMY GRAINGER'S 10th ANNIVERSARY DRIVE!

SEPT. 27th to DEC. 31st

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

64. NO. 75 NEW YORK, U.S.A., MONDAY, OCTOBER 18, 1948 TEN CENTS

FILE COPY DO NOT REMOVE

SOC. OF . 21ST FL.

Vengeance Is Ascap's Aim, ITOA Holds

Society's 'Simple Decree' Bid Cited in Allegation

Issue before the New York Federal Court in the case of ITOA members versus Ascap has been narrowed down to the question of how broad an injunction may be ordered by the court in accordance with its jurisdiction, with the exhibitors hurling the charge that Ascap in its bid for a simple decree seeks to "wreak vengeance on the plaintiffs who were courageous enough to expose Ascap's illegality."

At the direction of Federal Judge Vincent Leibell, both sides on Friday exchanged briefs exploring the court's jurisdiction, Ascap asserting that only a simple decree affording relief to the immediate plaintiffs is within the court's limit. Both endeavored to bolster their arguments with a number of cases offered as precedents.

Ascap would have the decree re-

(*Continued on page 7*)

Delay Anglo, US Meeting

LONDON, Oct. 17.—The meeting of the Anglo-American Film Council, originally announced early this year in London by Eric Johnston and J. Arthur Rank, for November, was set back Friday until "shortly after New Year's," probably in New York, during a conference held by Rank and the Motion Picture Association of America president. Johnston left here by plane for New York at the weekend.

British members of the Film Council are Rank, Sir Alexander Korda and Sir Henry French; American

(*Continued on page 3*)

Rodgers Promotes 4 of Sales Force

With the completion here at the weekend of the first M-G-M executive training course, William F. Rodgers, vice-president and general sales manager, announced the promotion of four of the six who participated in the four-week indoctrination. During their stay in New York, the men vis-

(*Continued on page 7*)

TOA Battles High Cost of Film Shipping

Responding to "widespread protests on the part of motion picture exhibitors throughout the country" against the allegedly excessive rates for the transportation of film, Theatre Owners of America has started five courses of action in an effort to obtain early relief, the organization discloses.

The courses include (1) a letter to leading railroad presidents urging them to establish a baggage tariff on the movement of film; (2) discussions with bus line officials on joint action before the Interstate Commerce Commission to secure a modification of safety regulations which prohibit, in many sections, the transportation of film on passenger buses; (3) a petition to trucking companies asking for

(*Continued on page 7*)

Republic Expects Business Increase

"Greatest number of playdates in Republic history" is expected during the "Jimmy Grainger 10th Anniversary Drive" ending Dec. 31, it was reported here Friday at the closing session of the two-day sales conference at the New York Athletic Club. Playdate reports were submitted by Edward L. Walton and Walter L. Titus, Jr., co-captains of the drive.

Herbert J. Yates, company president, addressed the meeting and stated that, based upon Republic's anticipation of increased business the studio would maintain the schedule slated for its production program.

Reports emanating from Los Angeles and Chicago meetings that general theatre business is on the upswing were confirmed by the Eastern

(*Continued on page 7*)

House Business Quiz Report Due by Jan. 1

WASHINGTON, Oct. 17.—The House Small Business Committee, which has just concluded hearings in a dozen cities on monopoly problems of independent business, is expected to paint a very dark picture of the plight of the independent theatre owner, in a report being drawn up for submission to Congress around the first of the year.

The committee expects to find even more grist for its mills at the Allied

(*Continued on page 7*)

'Sell to Anyone' Is SIMPP Policy on UK

Hollywood, Oct. 17.—Society of Independent Motion Picture Producers has decided to sell its pictures in Britain to anyone who wants them, regardless of the policy of the Motion Picture Association of America, according to Gunther Lessing, SIMPP vice-president and chairman of its executive committee. Asserting that MPAA should seek full industry cooperation in its British decision, he added: "We want to be asked, not told."

Republic Case Goes to NLRB

National Labor Relations Board examiner John J. Carmody will conduct a hearing here today on IATSE Motion Picture Home Office Employes Local No. H-63's petition for bargaining rights at the Republic home office. H-63 claims to have won away from the Screen Office and Professional Employes Guild a "definite majority" of the Republic "white collarites," and the company, meanwhile, has refused to "do business" with SOPEG because that union has failed to comply with the non-Communist affidavit provisions of the Taft-Hartley Law.

H-63 will be represented at today's hearing by local organizer Joseph Conlon and "IA" international organizer James Rogers. SOPEG, as a non-complying union, is denied access to NLRB actions and, therefore, will not be represented.

Republic's "collarites" are the second home office group to jettison SOPEG as a result of the Communist issue, the first having been those at United Artists, where a recent shop election brought a victory for H-63.

E. K. Safety Film at Standard Prices

HOLLYWOOD, Oct. 17.—Eastman Kodak is understood to be ready "almost any day now" to make safety film available at standard prices, according to John Nickolaus, superintendent of photography at the M-G-M studio. Nickolaus says the new base is neither acetate nor nitrate.

M-G-M and some other producers are printing all daily rushes on safety stock. M-G-M is expecting to put features on safety film into regular release soon.

Schine Should Divest 173 Theatres: US

Would Impose Sweeping Operating Restrictions

BUFFALO, Oct. 17.—The Government on Friday asked the U. S. District Court here to order virtually complete dissolution of the Schine Theatre Chain. In its proposed findings and order for the further proceedings directed by the U. S. Supreme Court last May, the Justice Department asked that Schine be required to give up its interest in 173 theatres, operating in 74 cities in six states.

Conceding that its records of the Schine interests were out of date, the Government said that it believes its proposals will leave Schine with "very few theatres." Off hand, the Department could name only the Paramount and Eckel in

(*Continued on page 6*)

Sales Union Favors Pact

CHICAGO, Oct. 17.—Approval of the terms of the first contract between film salesmen and distribution companies was indicated as the Colosseum of Motion Picture Salesmen of America met here at the weekend in the first national convention of the salesmen's union.

The contract was negotiated with distributors last month. Its previously-disclosed wage increases, vacation benefits, additional travelling expenses, etc., would become effective for some 3,000 film salesmen when the pacts are approved by the membership and signed by distribution and Colosseum representatives.

MOT's Glenn Heads NTFC Directors

Jack Glenn, executive director of the March of Time, was elected chairman of the board of directors of the National Television Film Council at the first meeting of the board, held here at the weekend. Attending the meeting, headed by Melvin L. Gold, Council president, were Burt Balaban,

(*Continued on page 3*)

Personal Mention

JOSEPH HAZEN, president of Hal Wallis Prod., left New York last night for the Coast. He is due back here next week.

•

ELLEN CHARLIN of Columbia's publicity office here was married to SAMUEL WALOTSKY at Sunrise Manor, Brooklyn, on Saturday. They will reside in Cleveland.

•

A. W. SMITH, JR., 20th Century-Fox distribution chief, will return to New York today from Chicago. SAM SHAIN, 20th-Fox exhibitor relations director, returned from Milwaukee on Friday.

•

MARY HELEN PERRY, daughter of A. W. PERRY, general manager of Empire-Universal Films, was married recently to ARTHUR E. GUAY in Toronto.

•

W. RAY JOHNSTON, chairman of the Monogram board, has been named to the board of trustees of West Coast University.

•

NORMAN H. PADER, member of Republic's exploitation staff at the home office, and MRS. PADER are parents of a son, DOUGLAS IAN.

•

MARGIE McCARTHY has been promoted to manager of the Rialto Theatre of New York, from assistant manager.

•

LEON J. BAMBERGER, RKO Radio sales promotion manager, is due back in New York today from Milwaukee.

•

CARROLL PUCIATO, Realart general manager, has returned to New York from the Coast.

•

A. A. WARD, vice-president of Altec Service, is in New York from the Coast.

•

GUS LAMPE, of the Schine Circuit, is touring the company's Maryland houses.

•

MOE SILVER, Warner Pittsburgh zone manager, and HARRY FEINSTEIN, his assistant, are New York visitors.

•

LAWRENCE KULICK of Bell Pictures is in Los Angeles from New York.

U.A. Board Will Hear Kelly on Wednesday

Board of directors of United Artists will meet at the home office on Wednesday to hear a report on conditions abroad by Arthur W. Kelly, executive vice-president, who has concluded a two-month tour of England and the Continent.

Kelly is due in New York from London at the weekend following his longest stay abroad in several years. UA product deals with J. Arthur Rank's Odeon Circuit in London, in which the film company holds interests of about 25 per cent, were one of Kelly's chief concerns in England.

Tradewise . . .

By SHERWIN KANE

CURRENTLY there is being studied a program for vitally expanding the industry arbitration system in matters both of trade problems which may be submitted to arbitration and number of companies participating.

Heretofore, only the five theatre-owning companies, Loew's, Paramount, RKO, 20th Century-Fox and Warners, agreed to submit to arbitration of trade complaints by exhibitors.

The former consent decree under which the industry arbitration system was established limited, for all practical purposes, the type of problem which could be satisfactorily arbitrated. The result was that complaints of unreasonable clearance far outnumbered any other type of complaint brought by exhibitors and in the latter period of the arbitration boards' operations even that type of complaint became less numerous.

The comprehensive and efficient industry arbitration machinery was there but it was not being used.

Exhibitors have been free to state their dissatisfaction. They felt that arbitration had been so restricted by its own rules that no vital problem could be brought to it for hearing and decision and, covering as it did only a part of the industry, it was limited not only by the type of complaints which could be submitted to arbitration but also by the number of non-participating companies.

•

The arbitration program now being studied contemplates the inclusion of Columbia, Universal, United Artists, Republic, Monogram and Eagle-Lion, in addition to the original five.

It also proposes to include among matters which may be arbitrated such subjects as specific run, forcing of pictures, extended runs and other subjects not heretofore arbitrable but of vital concern to numerous exhibitors. Arbitration could also be extended to cover additional specific matters concerning which some injunctive relief is sought of defendants in the Government's anti-trust suit.

The principal objection of companies not now consenting to arbitration appears to be the cost. They feel that the arbitration system is primarily of concern to theatre-owning companies and that their own interest is too minor to justify the payment of assessments to meet maintenance costs of the boards, including the appeal board.

It would seem that against that the "Little Six" might weigh the value of having a ready method of settling customer complaints and of furthering industrial harmony. There is, too, the consideration that many complaints which have no industry tribunal in which to be aired and adjudicated must inevitably become cases in the public courts.

They can be resolved in far less time and more cheaply in the industry arbitration boards.

As for the cost of the system to the "Little Six," there already has been proposed an eminently fair and reasonable basis of assessments.

Heretofore, arbitration costs have been met by apportioning them among the five participating companies on the basis of a small percentage of the distribution revenue of each for the preceding year. It is now suggested that the "Big Five" add their theatre income to distribution revenue and pay on the basis of the combined sums.

Non-theatre owning companies, paying on the basis of distribution revenue alone, thus would share a very small, yet equitable, proportion of the cost.

• •

If you listened to that Town Meeting of the Air program over the ABC network last week on the subject "How Will Television Affect Motion Pictures?" it was difficult to escape the impression that the television champions, Mark Woods and James Carmine, had little to contribute after they both had made their "pitches" for having films made available to video.

We thought Paul Raibourn of Paramount answered them quite neatly. He said that spending $400 with an electrical equipment dealer (for a television set), buying a pound of coffee and a bar of soap didn't entitle anyone to see a company's multi-million dollar film productions in his home for free.

• •

Lagniappe: United Artists contributed $10,000 recently to the litigation fund of the Society of Independent Motion Picture Producers, currently anti-trusting the independent exhibitor buying combine, Co-Operative Theatres of Michigan, and the Paramount subsidiary, United Detroit Theatres.

Newsreel Parade

THE DEWEY STORY and th installation of Gen. Eisenhowe are highlights of all current news reels. Other items include a new je helicopter and football. Complete con tents follow:

MOVIETONE NEWS, No. 83 — Th Dewey Story. Eisenhower installed at Co umbia University.

NEWS OF THE DAY, No. 213 — hower installed as Columbia president. Speed boat thrills on unique track. Football. Th Dewey Story.

PARAMOUNT NEWS, No. 16—"Littl Henry," world's first in jet helicopter. Speed boat racing. Weirdest water arena. Th Dewey Story.

UNIVERSAL NEWS, No. 187—Eisen hower takes office at Columbia. The Dewey Story. "Little Henry," jet helicopter, has novel debut.

WARNER PATHE NEWS, No. 18— Columbia installs Eisenhower. The Dewey Story. Football.

5 Films, Stage Play For Jennifer Jones

After having been seen in only one picture in the last three years, Jennifer Jones now has five pictures in prospect of release in 1949 and will be starred on the stage in the Theatre Guild's production of "Romeo and Juliet."

Her forthcoming pictures are: David Selznick's "Portrait of Jennie," for SRO release; "China Valdes," Columbia; "Madame Bovary," M-G-M; "Trilby," Warner, produced by Jesse Lasky, and "Tess of the D'Urbervilles," to be made in England as a Sir Alexander Korda-Selznick picture.

Magazine Executives Promote Kaye Film

Promotion and advertising managers of some 50 mass-circulation magazines have been writing letters to exhibitors all over the country urging them to book Samuel Goldwyn's "A Star Is Born," starring Danny Kaye. Promotion is angled to advise theatremen that by the end of the month magazine ads will reach a combined circulation of 60,000,000, among such publications as *Life, Look, The American Weekly, Puck, This Week, Parade* and *The American Girl.*

Loyal Legion Dinner

The Military Order of the Loyal Legion of the United States, organized immediately following the assassination of President Lincoln in 1865, will hold its 63rd annual meeting of the Commandery-in-Chief, at a banquet at the Waldorf-Astoria, tomorrow evening, to be presided over by Commander of the New York Commandery, Captain Messmore Kendall, president of the Capitol Theatre here.

Moskowitz Honored

Charles C. Moskowitz, vice-president and treasurer of Loew's Inc. was sworn in as honorary deputy police commissioner by Mayor William O'Dwyer at a special ceremony here at the weekend. Police Commissioner Arthur W. Wallender and other ranking officials witnessed the ceremony.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20. N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; Theatre Sales; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

Truman and Barkley Endorsed by Walsh

Richard F. Walsh, IATSE international president, has announced his support of the Democratic candidates in the forthcoming Presidential election.

In a statement on behalf of the labor committee for Truman and Barkley, of which he is one of the founders, Walsh said:

"On every issue, President Truman's stand is forthright and specific and in line with the policies of organized labor. His brilliant analysis of the dangers of the Taft-Hartley Act has been borne out almost in detail. His warnings about runaway, uncontrolled prices have been tragically justified. His pleas for low-cost housing, for greater Social Security benefits, for a higher minimum wage, all point to crying needs in postwar America and all fit into a pattern of enlightened liberalism which Franklin D. Roosevelt would be thankful to find championed by the man he endorsed as his running mate in 1944.

"I am not unmindful that in certain overwhelmingly-Republican areas, labor's friends among the Congressional candidates belong to the Republican Party—just as there are some bad reactionary Democrats in overwhelmingly-Democratic areas. In such instances, labor's support should and does cut across party lines."

Albany Club Extends Its Charities Program

ALBANY, N. Y., Oct. 17.—The Variety Club of Albany will broaden its charity program for 1949, the membership decided at its first autumn meeting, presided over by Harry Lamont, chief barker. A major feature of the program will be the club's forthcoming Denial Day campaign. This drive, held annually through the cooperation of the *Times Union,* is conducted to give under-privileged boys a free summer vacation at the Albany Boys Club Camp Thacher. Tentative date of the drive would be on or about Thanksgiving. He appointed Charles A. Smakwitz, Warner Theatres Albany zone manager, to serve with him as general co-chairman for the drive. The following other Variety members were named committee chairmen: Big Brother Drive, Nat Winig; distribution, Jack Bullwinkle; theatres, Saul J. Ullman; special events, Gene Teper; publicity, Gerry Atkin.

Rally for Jilted Unions

Film division of the New York Council of Arts, Sciences and Professions will hold a rally Thursday evening at the Hotel Woodstock here to protest the refusal of virtually all distributors to re-negotiate union contracts with the Screen Publicists and Screen Office and Professional Employes guilds because the unions have failed to comply with the non-Communist affidavit provisions of the Taft-Hartley Law.

RKO Board Meeting

Radio-Keith-Orpheum board of directors met here on Friday to continue discussions begun at a prior meeting. No definitive action was taken on any subject, a board spokesman said following the meeting.

Paging Mr. Rank!

Life magazine this week gives J. Arthur Rank's British-made "Hamlet" its third major "break," devoting nine pages to Sir Laurence Olivier.

"Value of the cover and 21 pages which _Life_ has devoted to "Hamlet" would run past $350,000 if taken in paid advertising space," a Rank Organization press statement declares.

"Hamlet," at the Peachtree Art Theatre in Atlanta, has rolled up a record advance sale of $10,000, Universal-International stated here at the weekend, disclosing also that at the Park Avenue Theatre here, the advance sale is now over $40,000.

L. Bryer Heads New Distribution Firm

BOSTON, Oct. 17.—Lew Bryer has resigned from Western Massachusetts Theatres, Inc., to head Madison Pictures Corp. of New England, a new distributing organization. Offices have been established in Boston. Bryer is president and treasurer of the new corporation, controlling 75 per cent of the stock. Dorothy M. Bryer is vice-president, and Robert Lasher and Harold Rickless are other members of the corporation. They have secured franchise rights to 40 re-releases from Madison Pictures, Inc., New York.

Bryer is also affiliated with the newly-formed Ruby Film Productions, which will begin production in New York after the first of the year.

Model Western Town Acquired by Krasne

Exclusive arrangements to utilize the community of Pioneertown, Cal., for the making of Westerns have been made by Philip N. Krasne, producer of United Artists' Cisco Kid series, he announced at a press luncheon here at the weekend. The community is in the San Bernardino Mountains, 125 miles from Hollywood. The entire town will appear in the series. Krasne, who has rights to the model town for 25 years, said he would make it available to other producers.

His U.A. deal calls for eight pictures a year for the next three years.

Abrahamsen Heads Saga Films Here

Abel Abrahamsen has succeeded his brother Sam as president of Saga Films here.

Saga will release 12 first-run foreign productions in this country during 1948-49. Included are "Beethoven's Appassionata," with Viveca Lindfors and Alf Kjellin, and "Her Office Affair," Swedish film starring Ingrid Bergman.

Ireton Returning Here

MONTREAL, Oct. 17.—Having completed his organizational job as general manager of English-speaking operations with Renaissance Films, Glenn Ireton is leaving the company after expiration of his contract. He has also served as publicity director for Canadian International Productions, an affiliated company. He was previously for many years with Warner. Ireton is leaving for the States.

Anglo-U.S. Meeting

(*Continued from page* 1)

members are Johnston, Nicholas Schenck and Barney Balaban.

Agenda for the Council meeting has not yet been fixed, but improvement in Anglo-American film relations will probably be tops when it is set.

Talks with Harold Wilson, president of the Board of Trade, and R. G. Somervell of the BOT film division were described by Johnston as routine.

Repeating that he had not discussed the film quota here, the MPAA president added that it would be axiomatic to point out that the more successful the British quota proves, the more similar measures will be adopted by other countries. He cited the British protest against the French quota as an example.

Johnston said he hopes to return here in a few months when the quota situation becomes clearer.

He also disclosed that at a meeting of American managers here at the weekend he reviewed his negotiations with other European countries. Shipments of films to Moscow under the deal set during his visit there will probably start in a month, Johnston added.

Says Boycotts of UK Not Zionist-Sponsored

Eric A. Johnston, Motion Picture Association of America president, released in London at the weekend before his departure by plane for New York, a statement by Dr. Abba Hillel Silver, chairman of the American Zionist Emergency Council, that the official Zionist organizations in America do not sponsor U. S. boycotts of British films.

Silver's statement was contained in a letter he wrote in reply to an inquiry from N. J. Blumberg, president of Universal-International. Blumberg sent the Silver reply to Johnston for release.

Glenn Heads Board

(*Continued from page* 1)

vice-president; Robert H. Wormhoudt, secretary, and directors Gus Ober, Irwin Shane, Rosalind Kossoff, Myron Mills, Irving Leos and Glenn.

Among items discussed were plans for expediting the ratification of the proposed standard exhibition contract, the projected television-film clearance bureau, catalogue of films and yearly television film awards.

Says Video Unable to Pay Coast Film Costs

Hollywood, Oct. 17.—It is now apparent that television is unable to pay the costs of Hollywood television films and all video film producers are taking a loss, declares producer Jerry Fairbanks. There will be profits only after Coast guilds set up scales which television can afford, he adds. Until this happens, Hollywood will be unable to compete with other video film markets.

He says NBC is now considering taking an even heavier loss, comparable to that of "live" programming, to get its television film program rolling.

Premiere of 'Shoes' Opens DC's National

WASHINGTON, Oct. 17.—The National Theatre, formerly Washington's only legitimate theatre, made its debut as a film house Friday, with a Hollywood-type premiere of Eagle-Lion's "The Red Shoes," top Government, embassy, and industry officials turning out, the latter delegation including Eagle-Lion vice-presidents William Heineman and Max Youngstein, producer Byran Foy, and Jack Schlaifer, assistant to Heineman. Premiere was a benefit under sponsorship of the Women's Advertising Club of Washington. "Red Shoes" will be shown on a two-a-day, advanced price basis.

Ricketson, Huffman Seek KLZ in Denver

DENVER, Oct. 17.—Frank H. Ricketson and Harry Huffman, both executives of Fox Intermountain Theatres, are reported to have closed a deal for the purchase of radio station KLZ, Denver. Purchase is contingent upon approval from the Federal Communications Commission. Huffman and Ricketson head a company known as Aladdin Television, Inc. They are reported ready to pay approximately $3,000,000 for the station.

British Experiment With Theatre Video

LONDON, Oct. 17.—Representatives of the government, distributors, producers and the British Broadcasting Co. discussed plans at the weekend for television on theatre screens, including telecasts of commercial films in BBC's television programs.

It was agreed that in order to determine reactions of the public BBC would proceed experimentally.

'Scott' Chosen for Royal Performance

LONDON, Oct. 17.—"Scott of the Antarctic" has been selected by the British Film Producers Association as ts presentation for this year's Royal Command Performance on Nov. 29.

15-Hr. TV Day for WABD

The DuMont Television Network has announced plans for a full schedule of daytime programming for WABD. The station will soon begin telecasting on a daytime schedule from seven A.M. to six P.M. WABD will also continue its full evening program. The new schedule calls for 15 hours of programs a day.

Creato Heads Legal Dept.

CAMDEN, N. J., Oct. 17.—Daniel R. Creato, with the legal department of RCA Victor since 1935, has been appointed vice-president and general counsel for the RCA Service Co., which is responsible for the installation and servicing of television receivers and electronic equipment for theatres.

Five Italian Films Set

Five new Italian pictures will be distributed in this country by Continental Motion Picture Corp. of New York, George Margolin, president, announces. They are: "Musica di Sogno," "O Sole Mio," "Capri Isola di Sogno," "Dodici Croci" and "Non Mi Muovo."

21 GREAT BOXOFFICE FILMS....

to help exhibitors at the boxoffice!...

WATCH EAGLE LION • WATCH EAGLE LION

WATCH EAGLE LION • WATCH EAGLE LION

WATCH EAGLE LION • WATCH EAGLE LION

WATCH EAGLE LION • WATCH EAGLE LION

WATCH EAGLE LION • WATCH EAGLE LION

WATCH EAGLE LION • WATCH EAGLE LION

WATCH EAGLE LION • WATCH EAGLE LION

WATCH EAGLE LION • WATCH EAGLE LION

WATCH EAGLE LION • WATCH EAGLE LION

WATCH EAGLE LION • WATCH EAGLE LION

WATCH EAGLE LION • WATCH EAGLE LION

WATCH EAGLE LION • WATCH EAGLE LION

Walter Wanger's

"TULSA"

COLOR BY TECHNICOLOR

Roaring saga of a wide-open boomtown, duced with all the lavish sweep and col Wanger's "Tap Roots" and "Canyon I age." SUSAN HAYWARD, ROBERT PRES and PEDRO ARMENDARIZ are starr

"HOLLOW TRIUMPH"

PAUL HENREID and JOAN BENNETT co-star in this shocking, suspenseful story of a supreme scoundrel, based on Murray Forbes' sensational best-selling novel. One of the great audience attractions of this or any other year!

"RED STALLION IN THE ROCKIES"

IN GLOWING CINECOLOR

All the smashing entertainment value which made "Red Stallion" one of the top box-office grossers of last year—PLUS—added production values and top-popularity star names!

"THE BIG CAT"

COLOR BY TECHNICOLOR

PEGGY ANN GARNER, LON McCALLIS PRESTON FOSTER and SKIP HOMEIER hea cast of this great human story of a slum coward who finds his re-birth in the dar and terrors of the wild outdoors!

"THE RED SHOES"

COLOR BY TECHNICOLOR

LIFE Magazine rates this enchanting and deeply thrilling picture so highly that it has already devoted a full-color picture insert to scenes from the film—and dozens of other tremendously important national magazine and syndicated features are now being set!

"THE WORLD AND LITTLE WILLIE"

JUNE LOCKHART, fresh from her prize-winning performance on Broadway, is co-starred with ROBERT YOUNG in this great human story — tender and with universal appeal — of a beautiful schoolma'am, a crusading newspaperman and a precocious schoolboy. Will be produced as a top-budget special.

Walter Wanger's

"REIGN O TERROR

ROBERT CUMMINGS and ARLENE DAHL wi star in this tremendous swashbuckling ro tic adventure in the great box-office trad of "The Scarlet Pimpernel" and "A Tal Two Cities"!

"MIRANDA"

A really great comedy-romance of the whacky complications that develop when an innocent husband comes home with a beautiful mermaid! In the same class as "It Happened One Night" and "The More the Merrier" as one of the most zany comedies the screen has ever presented!

"MICKEY"

IN GLOWING CINECOLOR

Gay and loveable, light-hearted and completely adorable—"Mickey" is America's New Sweetheart! Everyone who ever dated for a high school prom will thrill to this tender story of a 'teen-age tomboy and her first romance! Introducing lovely LOIS BUTLER, sensational singing discovery!

Bryan Foy's

"THESE WERE MY ORDERS"

First film story of the methods employe Army Counter Intelligence to guard and t port the Atom Bomb, told by former In gence Agent Norbert Gagen and filmed at Ridge, Tenn., home of the Atomic Energy C mission's nuclear fission project!

EAGLE LION IS YOUR CONTINUING S

...ET'S LIVE A LITTLE"

...LAMARR and ROBERT CUMMINGS co-...d in o fost-poced comedy-romonce des-...to toke its place among the "blue-chip" ...top-grossing films in the tradition of ... Godfrey" and "The Awful Truth"! ...Sten ond Robert Shayne head the fea-...cost. A United California Picture.

WATCH EAGLE LION • WATCH EAGLE LION

"CANON CITY"

Raw . . . naked . . . terrifyingly true . . . the headline story of the twelve desperate killers who broke out of Colorado State Penitentiary in Canon City, Col., on the night of December 30, 1947, to terrorize the entire countryside! Shot on actual location!

WATCH EAGLE LION • WATCH EAGLE LION

"NORTHWEST STAMPEDE"

IN GLOWING CINECOLOR

Large-scale outdoors romance filmed in full Cinecolor in the majestic Canadian Rockies! The first motion picture to bring to the screen the thrills of the world-famed Calgary Stampede! The cast is headed by lovely JOAN LESLIE, JAMES CRAIG and JACK OAKIE.

WATCH EAGLE LION • WATCH EAGLE LION

...IE WALKED ...BY NIGHT"

...her great Eagle Lion exploitotion special ...d on one of the most baffling cases in Los ...eles police history, the "now-it-can-be-..." story of the capture of murderer and ...killer David Morgan. RICHARD BASEHART ... SCOTT BRADY head the outstanding cast.

...H EAGLE LION • WATCH EAGLE LION

"THE OLYMPIC GAMES OF 1948"

COLOR BY TECHNICOLOR

The exclusive full-feature-length record of the greatest sports event the world has ever seen! Presenting the 1948 Olympic Games, with special emphosis on Americon victories. The thrill-filled "on-the-spot" commentary is by TED HUSING ond BILL STERN.

WATCH EAGLE LION • WATCH EAGLE LION

"THE SPIRITUALIST"

TURHAN BEY, LYNN BARI, CATHY O'DONNELL and RICHARD CARLSON head the fine cast of this greot romantic dromo of phoney spiritual-ists who prey on their gullible dupes! Timely and thrilling exploitation hit!

WATCH EAGLE LION • WATCH EAGLE LION

...SCOTT OF THE ...ANTARCTIC"

COLOR BY TECHNICOLOR

...lling adventure bringing to the screen ...smoshing courage of the tough doredevils ... bottled glociers ot the bottom of the ...rld! Shot on location at the South Pole, ...rring JOHN MILLS, hero of "Great Expec-...ons."

...CH EAGLE LION • WATCH EAGLE LION

Walter Wanger's "THE BLANK WALL"

Walter Wanger's proved box-office know-how; brilliant, fast-paced direction which Anthony Monn demonstrated in "T-Men" and "Raw Deal"; stor value of lovely JOAN BENNETT, ond the unforgettable story, based on Elizo-beth Sanxay Holding's greatest novel — and you've got a picture which is tops!

WATCH EAGLE LION • WATCH EAGLE LION

"BORDER PATROL"

The producer, director and writer of "T-Men" again join forces to make "Border Patrol," in the same great box-office tradition! The film will be a tremendous screen tribute to the Treosury Department operotives who guard our border against internationol slavers!

WATCH EAGLE LION • WATCH EAGLE LION

...TWELVE AGAINST THE UNDERWORLD"

... true-life thriller of the courageous group ...pastors who banded together to bring law ...d order to Steubenville, Ohio. ROBERT ...UNG will be starred in this great story of ... battle against corruption and lawlessness.

"ALICE IN WONDERLAND"

IN ANSCO COLOR!
(The Great, New 3-color Process!)

The first motion picture ever to combine live action and animated puppets in color! "Alice In Wonderland," one of the world's best-loved stories becomes o film which captures oll the charm ond wonder of Lewis Corroll's immortol classic! Will be pre-sold by one of the most intensive notionwide compaigns ever put be-hind any film.

THESE 21 GREAT FILMS ARE SET TO GO....

Experienced showmen know that the balonce of the Eagle Lion program will measure up to them in every boxoffice essential!

BUILD BOXOFFICE WITH EAGLE LION!....

...RCE OF FINE BOXOFFICE PRODUCT!

US-Schine

(*Continued from page* 1)

Syracuse as houses which Schine would be allowed to keep.

All sales would have to be approved by the court, with Schine and other interested parties having a chance to object and be heard.

Admitting that its proposed order is a sweeping one, the Justice Department said: "The breadth of Schine's illegal acquisitions has enabled it for many years to be the largest independent circuit in the country, with an increase since 1928 of 56 closed towns. That breadth is necessarily the measure of its undoing."

No time limit for the divestiture was set, but the Government asked the court to order appointment of a trustee within 30 days of judgment, and that the theatre interests be sold "as rapidly as possible upon such terms and to such purchasers as this court may approve, to the end that the theatres thus disposed of may be operated in competition with theatres retained by the defendants."

Other points asked by the Government included these:

All unimproved lands, available for theatre purposes, held by Schine in towns where it has theatres, should be divested "as rapidly as possible." Schine would be required to furnish a list within 30 days of judgment.

Would Halt Acquisitions

No additional theatres shall be acquired by Schine except with court approval after a showing that such acquisition will not "unreasonably restrain competition."

Schine would be restrained from licensing for five years from the date of judgment more than 60 per cent of the feature films released by major distributors in any season for first-run showing in a town where Schine has competition, and from securing for five years "the majority of all of the better pictures for exhibition in such towns during any six months period."

Schine would be restrained from licensing any features for showing in any town where competitors have not been given a chance to negotiate for the picture on the same run. Compliance with this shall be satisfied by a statement to Schine from distributors that the competition has been given a chance to negotiate. A similar injunction shall be applied to licensing films on a selective basis in any town where Schine has competition.

The latest listing which the Department had—of May, 1942—showed Schine operating only 148 theatres. The Government said its listing totaled more than this. Justice officials said Schine had promised an up-to-date list, but had never provided it, and they would probably have to get the court to order the circuit to supply one eventually. Meanwhile, they said, they had to work with the list supplied in 1942, out-of-date film licensing agreements, and other "inadequate" data.

Schine would be barred from buying or booking films for any theatres other than those in which they have a financial interest, the Government suggests.

The Department gave eight different reasons why different theatres should be divested, and then lists the theatres to be divested for each reason. Many theatres appeared on more than one list. When duplication was eliminated, the total was 173.

Eight Divestiture Reasons

The eight list-headings are: Theatres acquired by Schine with the intent to acquire all first-run theatres in one locality; theatres acquired from an owner or operator unable to procure adequate product or competitive terms from distributors because of the exercise of Schine's buying power and its conspiracy with distributors; theatres acquired as part of a transaction whereby the former operator agreed not to compete with Schine; theatres acquired as fruits of the conspiracy through the expenditure of monies in their acquisition derived from the operations of defendants and their subsidiaries in pursuance of the conspiracy; theatres used to create or maintain a pool; theatres held with an existing or potential competitor other than theatres pooled; theatres which were combined in master agreements or franchises, and theatres which the record shows were used in competitive towns to unreasonably restrict competition of competitors.

Government proposes other sweeping restrictions on Schine's future operations, enjoining the circuit from unreasonable clearance privileges or competition restraints with the burden of proof placed on Schine, and from enjoying special concessions from any distributor.

The Department modified its injunction against franchises. It now would bar Schine from conditioning the licensing of films in any situation outside Buffalo upon licensing of films elsewhere and from entering into any master agreement or franchise. Schine must license for any theatre from the branch office serving that theatre's territory, wherever this is the established method of licensing for other theatres.

Could File New Plan

The proposed order provides that within 30 days of judgment the Government can submit a new divestiture plan "to dissipate defendants' monopoly power if it deems the entry of the judgment does not dissipate such power." It specifically provides that the trustee shall have easy access to all Schine books and properties.

"For the purpose of securing compliance" with the court's judgment, the proposed judgment also includes a provision that Justice Department agents shall have access to books, property and employes of the Schine Circuit.

The Government's proposed order and findings, prepared by Philip Marcus, ran to 318 pages, 139 of them devoted to town-by-town findings.

The Government maintained that Schine had destroyed competition and established monopoly by: arbitrarily depriving independents of first and second-run pictures; securing unreasonable clearances over independent theatres; making threats to build or open or close theatres to prevent independents from building or operating; lowering admission prices; obtaining rental concessions; restricting independents who sold to them as to periods and places of theatre operations; making master agreements and long-time franchises for the circuit; and by exerting pressure on distributors to control the prices they charged independent exhibitors.

The brief in support of the findings declared that the Government "is of the opinion that next to divestiture relief the prevention of monopoly buying practices by Schine is the most important relief which could be afforded competitors and the public." As for clearances, the brief said that "the Schine saga is marked by an unparalleled use of clearance as a weapon of restraint and monopoly."

Only Three Cities Excepted

The divestiture provisions, the brief said, "would require divestiture of Schine's theatre holdings except in Buffalo, Rochester, and Syracuse, where there are and have been first-run exhibitors affiliated with the distributors. If it be said that this provision would require divestiture of most of Schine's theatres, we think the answer must be that this provision merely measures the scope of Schine's illegal acquisitions."

Although the brief says Schine could keep theatres in Buffalo, Syracuse, and Rochester, the proposed judgment would have the circuit dispose of 10 theatres in Rochester and two each in Buffalo and Syracuse. Justice officials could not name any theatres which the chain could keep other than the two already mentioned in Syracuse.

Real estate sites suitable for theatres, which the Government would have Schine dispose of include locations in Cortland, Perry, Rochester and Paris, N. Y., and Salisbury, Md.

Justice said it did not have any complete list of Schine-owned real estate.

173 Schine Theatres Listed for Divestiture

New York State: Amsterdam: Regent, Rialto, Strand, Orpheum. Augent, Rialto, Strand, Orpheum. Auburn: Jefferson, Palace, Auburn. Bath: Babcock. Ballston Spa: Capitol. Buffalo. Granada, Riverside. Canadaigua: Playhouse, Lake. Carthage: Strand, State, Corning: Fox, State, Palace. Cortland: State, Temple, Cortland. Dolgeville: Strand. East Rochester: Rialto. Fairport: Fairport, Temple, Rialto. Geneva: Geneva, Regent, Temple. Glens Falls: Rialto, Empire. Gloversville: Glove, Hippodrome. Hamilton: State. Herkimer: Liberty, Richmond. Hudson Falls: Strand. Ilion: Capitol, Temple. Little Falls: Rialto, Hippodrome. Newark: Capitol, Crescent. Lockport: Rialto, Hi-Art, Palace. Malone: Malone, Plaza. Massena: Massena, Rialto, Strand. Norwich: Colonia. Ogdensburg: Strand, Pontiac. Oneonta: Oneonta, Palace, Strand. Oswego: Strand, Capitol, Oswego, Richardson, State. Penn Yan: Elmwood. Perry: Auditorium. Rochester: Dixie, Riviera, Cameo, Grand, State, Liberty, Lake, Madison, Monroe, West End. Salamanca: Andrews, Salamanca. Saranac Lake: Pontiac. Seneca Falls: Strand. Seneca. Syracuse: Empire, Palace. Tupper Lake: State. Watertown: Avon, Olympic, Palace. Whitehall: Capitol. Mechanicville: State. Granville: Ritz.

Ohio: Ashland: Palace, Ohio, Opera House, Ashland. Athens: Athena, Court. Ohio. Bellefontaine: Holland, Strand, Opera House. Bucyrus: Bucyrus, Southern, State. Delaware: Strand, Star. Fostoria: Civic, Roxy, State, Colonia. Kent: Kent, Opera House. Medina: Princess, Temple, Medina. Mt. Vernon: Vine, Lyric, Vernon, Memorial. Norwalk: Capital, Forum, Rose. Norwalk. Piqua: Ohio, Piqua, Miami, Plaza. Shelby: Castamba. Ravenna: Ravenna. Ohio. Tiffin: Ritz, Grand, Tiffin. Van Wert: Van Wert, Strand. Wooster: Woster, Opera House, Wayne.

Kentucky: Corbin: Kentucky, Hippodrome, Viv. Harlan: Margie Grand. Lexington: Ben Ali, Kentucky, State, Strand, Opera House, Ada Meade. Maysville: Russell, Washington, Hollywood. Paris: Bourbon, Paris. Richmond: Madison, State. Pikeville: Liberty. Middlesboro: Manring, Brownie.

Maryland: Cambridge: Arcade, State, Grand. Easton: New Easton, Avalon, Music Hall. Federalsburg: Federal. Hurlock: Hurlock. St. Michael's: Marada. Salisbury: Arcade, Wicomico, Ritz. Cumberland: Strand.

Delaware: Laurel: Waller, New Waller. Milford: Plaza.

Virginia: Appalachian: State.

The judgment also provided that the existing pooling arrangement at Fostoria and Medina, Ohio, be dissolved.



UNITED

Flight Facts

Want a box seat for the greatest show on earth—in Technicolor? I'm just the man who can arrange it. I'm the pilot of "*the Hollywood*," United Air Lines' famous onestop flight from New York to Los Angeles in 11 hours and 10 minutes.

We leave New York at 12 noon. We arrive in Los Angeles at 8:10 P.M. But we time our flight to arrive over the Grand Canyon just at sunset—that's the great Technicolor Show I mentioned! You see Hoover Dam and the Southwest desert country too. It's really beautiful.

Of course we have many luxurious attractions on "*the Hollywood*." Like air conditioning. A spacious cabin, so you can stroll around. A lounge, with perfect observation. Deep soft seats. Delicious meals.

But my special pride and joy is the sunset show in Technicolor!

E L Remelin

United Air Lines Pilot on

"the Hollywood"

N.T. Hearing Today

Jacob Demov, referee in the settlement proceedings revolving around the 16 suits brought by National Theatres stockholders against officers and directors of 20th Century-Fox, will resume hearings this morning at the Bar Association Building here. Several more hearing sessions are expected to be held over the next several weeks by Demov before he will render a decision.

Promotion 'Stunt' Brings Aid to Blind

ATLANTA, Oct. 17. — A promotion stunt staged by the Miller Theatre, Augusta, Ga., and the *Augusta Chronicle* to sell a Lassie picture brought about establishment of a permanent fund by an anonymous donor to provide for the purchase of a seeing-eye dog for a blind person annually.

W. K. Jenkins, president of Georgia Theatre Co., which operates the Miller, characterized the incident as "another in the long list of shining instances in which the motion picture industry has contributed both directly and indirectly toward the welfare and happiness of the human race."

P. E. McCoy, Augusta city manager for Georgia Theatres, arranged the stunt which provided for a child's essay contest on "Why I Like Dogs." Now the winning essay and photo of its author and his dog is inscribed on a perpetuity bond of $10,000, income from which the anonymous donor has specified will go to the purchase of a seeing-eye dog for blind applicants selected by Lions Clubs over the nation.

House Business Quiz

(*Continued from page* 1)

States Association convention in New Orleans at the end of November. Hearings have been tentatively set for that city at that time. Testimony will also be taken from independent producers at hearings in Los Angeles in January or February.

Allied has already urged that the committee recommend setting up a special anti-trust court and that the Robinson-Patman Act's bar on price discrimination be broadened to include rentals as well as sales.

Exhibitor representatives appeared at practically every hearing, and committee members were "extremely impressed with their stories of monopoly in the industry," one committee staff member declared. He said that it "all added up to a very dark picture," and that "the situation turned up certainly shows we were right in looking into it."

Chief complaints of exhibitor witnesses at the various hearings, he declared, were: 1) a film shortage resulting from a producer conspiracy to suppress films and build up a backlog, all the while forcing theatre owners to bid up rentals; 2) the Supreme Court ban on block-booking is being ignored—"a theatre owner can buy individual films but has to pay as much as he had to pay for a block of five before"; 3) clearances are completely unreasonable; 4) the monopoly of the Big Five on first-run theatres works all sorts of discrimination against independents.

Guilty, Fined, Closed

DETROIT, Oct. 17.—Archie Rose of Detroit paid $50 fine and costs in court after pleading guilty to presenting an obscene film, "Strip Poker," at the Fox Theatre in Grand Rapids. The theatre was ordered padlocked for 30 days.

'Amber' Ban Seen Lifted

BOSTON, Oct. 17.—Ban on 20th Century-Fox's "Forever Amber" is expected to be lifted soon in Bay State towns following the Massachusetts Supreme Court's ruling in a split decision that the book of the same title is not obscene.

2 New Theatres for Ted Gamble Circuit

Portland, Ore., Oct. 17.—Two new additions are announced by Ted Gamble Theatres, one in Baker, Ore., to seat 800 and scheduled for completion in 30 days, and the second a 500 seater in Lebanon, Ore., now being erected and set for opening in March.

Nasser Fixes Deal For Second Money

HOLLYWOOD, Oct. 17.—A $1,000,000 deal with a New York investment house to provide secondary financing and completion bonds for independent producers has been concluded by James Nasser, president of General Service Studios, who described himself as the "middle-man" between the producers and the banking house. Films thus financed must be made on the General Service lot but can have any release, he said.

In addition, Nasser has been conferring with Sam Bischoff, Tay Garnett and Robert Riskin about the $600,000 deal under which Howard Hughes is financing three pictures for United Artists release to replace three that went to RKO Radio after he took over.

Rodgers Promotes 4

(*Continued from page* 1)

ited 58 executives of the Loew-M-G-M home office and affiliated enterprises, took a special speaking course and were given an insight into operations of the industry.

Those promoted are: Russell Gaus, salesman at Los Angeles, to Oklahoma City manager succeeding the late Charles D. Lyne; Louis J. Weber, salesman at Dallas, to assistant branch manager at that office; Ansley B. Padgett, assistant branch manager at Atlanta, to manager of that exchange, under Charles E. Kessnich, district manager, and Philip F. Gravitz, office-manager-booker at New Haven, to salesman under Harry Rosenblatt, manager. All promotions are effective immediately.

The four, as well as Michael Ford, Chicago, and Louis Marks, Cleveland, returned to their respective field headquarters at the weekend, following a final meeting with Rodgers.

Kentucky Showmen Set Meeting Agenda

LOUISVILLE, Oct. 17.—On the agenda of the annual convention of the Kentucky Association of Theatre Owners are talks covering Ascap, Federal and state taxes, exhibitor and distributor relationships, censorship and television. The meeting will be held at the Seelbach Hotel in Louisville on Oct. 27-28.

Invited guest speakers include: Governor Earle Clements, R. J. O'Donnell, Eric Johnston, Ted Gamble, Gael Sullivan and Arthur DeBra.

To Aid UJA Benefit

Gov. Thomas E. Dewey, Herbert H. Lehman, Mayor William O'Dwyer, Grover Whalen and Dr. Stephen S. Wise will serve as honorary chairmen of the "Night of Stars" benefit show for the United Jewish Appeal which will be held in Madison Square Garden here on Nov. 15.

TOA Battles

(*Continued from page* 1)

lower and uniform rates on film shipments over these carriers; (4) a request to the U. S. Postmaster General for special handling of film shipments by way of railroad post offices, and (5) a complete and exhaustive survey of the entire rate structure with the possibility of intervening in the present anti-trust suit against certain restrictive conditions in the Railway Express agreements.

Meanwhile, Gael Sullivan, executive director of the TOA, who has been negotiating with L. O. Head, president of Railway Express, since last June for a reduction in the present express charges on film shipments, reports that responses have been conciliatory and that he is still hopeful of a voluntary reduction on the part of the express agency.

"We cannot afford to wait much longer," Sullivan said. "The rising costs of living have reduced the volume of entertainment dollars and if we are to continue to provide the lowest cost entertainment available, we must find means of reducing the excessive overhead created by exhorbitant film shipment charges and other operating costs without in any manner lowering the quality of the product or the services rendered to millions of patrons."

Sulivan pointed out that in July he had called Head's attention to the shrinkage of film handling on the part of Railway Express and attributed it to the ruling which, on Oct. 15, 1946, eliminated the half-rate tariff charges on the return of film to distributors or film exchanges. Had exhibitors been apprised of this change in rate, they would have made a vigorous protest to the Interstate Commerce Commission and state regulatory authorities, Sullivan said.

Ascap, ITOA

(*Continued from page* 1)

straining it and its "members acting in concert" from collecting performing rights fees from the plaintiffs. This would still allow Ascap members, as individuals, the right to license music for public performance, the ITOA group counters. Thus, after licensing a picture from a producer, they would still face the "peril" of having to deal with individuals to clear music rights, the plaintiffs continue.

This represents "a gaping defect in the right of the producer to issue a license authorizing the exhibition of his films," the plaintiffs claim.

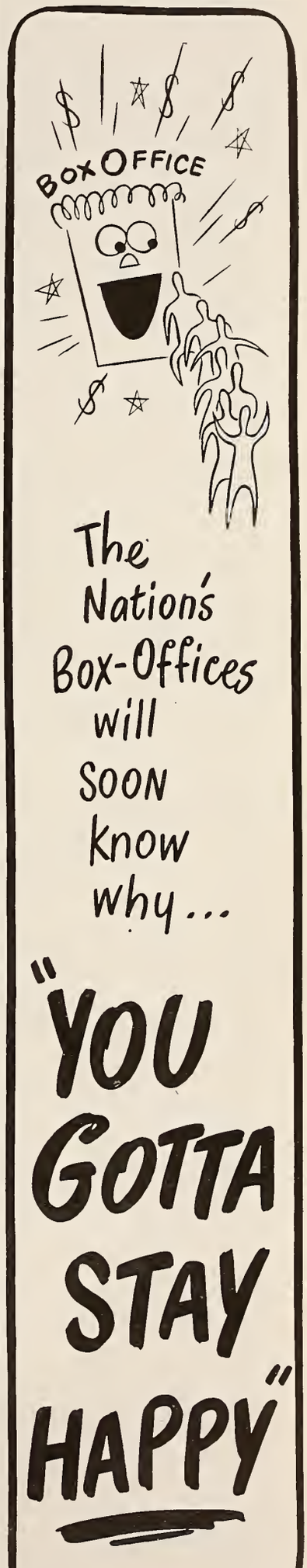
To this Ascap answers that the restraint it, Ascap, proposes would offer the plaintiffs sufficient protection, that a more stringent judgment against Ascap members is not within the power of the court because it would cause them, the members, unnecessary injury.

Answers to each other's briefs are to be prepared by next Friday.

Republic Expects

(*Continued from page* 1)

and Southern group of branch managers present at the meetings. All reported that small towns in their areas particularly are showing a healthy increase in business, and stated that there was optimism for continued good business on the part of showmen in general.



KEEP POSTING!

THE Film DAILY

Along the RIALTO

with PHIL M. DALY

NSS Tackles a Timely Job

● ● ● FOR REASONS that are understandable, no company in film biz today is more attuned to showmanship and the box office miracles it can work than National Screen Service. . . . So it is not suprising that the company so ably headed by Herman Robbins in formulating its plans for the George Dembow Tribute drive, (which incidentally gets underway today), has keyed it to the premise that showmanship is just as necessary to BETTER business as it was originally to BUILD show business. . . . Nor is it surprising that, in line with that approach, NSS has instructed its salesmen in calling upon exhibs. not to confine their showmanship talks to the use of the company's materials. . . . Increased newspaper space, spot radio announcements, and other media will be propagated as well. . . . Yet the fact that it is not surprising that NSS has so elected, detracts not one iota from its uniqueness. . . . If there's a precedent for it, indeed, Phil M doesn't recollect it as these lines take shape on the trusty Underwood.

▼ ▼ ▼

● ● ● THAT THE POLICY thus adopted is sagacious, constructive and most sensible goes without saying. . . . And if there could be a wider adoption of the same, from time to time, the industry would be the healthier for it. . . . Sure, this is a highly competitive business, always will be. . . . But by the same token there's also a strong underlying "one-for-all-and-all-for-one" strain. . . . Every good pic makes a general industry as well as a specific company contribution. . . . Every good campaign ditto. . . . And when NSS goes out to "talk up" not only its own wares but the effective employment of all showmanship agencies, it is doing a magnificent-and-timely-job in kind. . . . For that, a doff and flourish of Phil M's chapeau to Br'r Robbins and to the company's vice-president in charge of sales, George F. Dembow, honored by the drive.

● ● ● IF TRENDS interest you, by the way, you might give a thought to this: . . . From the NSS standpoint, in the current Dembow Tribute, concentration is on away-from-theater type of advertising to "bring 'em back alive" to the ol' box office. . . . Posting of 24 sheets, six sheets and three sheets, to take advantage of renewed motoring will get heavy attention. . . . Ditto the use of window cards, heralds and other away-from-theater items.

NATIONAL Screen SERVICE
PRIZE BABY OF THE INDUSTRY

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64. NO. 76 NEW YORK, U.S.A., TUESDAY, OCTOBER 19, 1948 TEN CENTS

FILE COPY DO NOT REMOVE

Three to Hit US Proposal On Clearances

Majors Begin to Work On Divestiture Briefs

Universal, United Artists, and Columbia have labeled as particularly objectionable that part of the Government's proposed order for entry in the Paramount case which they feel could be interpreted to mean that clearances would be justified only when prints are unavailable.

A spokesman for one of the three said here yesterday that the point definitely will be contested although a course of action has yet to be decided. There have been no discussions of a possible exit from the case by way of a separate consent decree for the three, he added, despite the fact that they and the Government are at odds in very few instances. However, he did not dismiss such a decree as being unlikely.

It is this contention of the Department of Justice with which the three take issue, quoted from the Depart-

(*Continued on page* 4)

Fight Seen on US Griffith Motion

OKLAHOMA CITY, Oct. 18.—The Government's motion to amend the petition in the Griffith anti-trust case to include new owners of the former R. E. Griffith holdings in Texas may be fought when it is aired in Federal Court here on Oct. 25.

Charles B. Cochrane, attorney for Theatre Enterprises, Inc., Dallas, said here today that a conference would be held shortly to determine what action the firm would take in reply to the motion.

U. S. District Attorney Robert Shelton filed the motion to amend the petition, contending that Theatre En-

(*Continued on page* 4)

$840,000 Trust Suit Filed in Chicago

CHICAGO, Oct. 18.—An $840,000 treble damage suit was filed here today in U. S. District Court by the Tiffin Building Corp., operators of the Tiffin Theatre on the North Side of Chicago, against 12 film distributors and theatre circuits who are charged

(*Continued on page* 4)

AAA Files to Block St. Louis Clearance Suit

WASHINGTON, Oct. 18. — The American Arbitration Association and its St. Louis agent, Harold D. Conner, today added their voices to those of four major distributors and asked the U. S. Supreme Court to reject an attempt by independent St. Louis exhibitors to upset clearances set by the AAA.

The exhibitors, headed by Harry C. Arthur, claim that Paramount, RKO, 20th-Fox and Warner are violating the anti-trust laws by observing clearances set by the AAA under the 1940 consent decree. They ask for $265,000 damages and injunctive relief.

About 10 days ago, the four distributors asked the high court to turn down an appeal from a decision of the

(*Continued on page* 4)

May Call Parley of Executives in East

WASHINGTON, Oct. 18.—It is no longer definite that the top-level industry meeting, slated for around Nov. 10, will be held on the Coast, Motion Picture Association of America officials indicated today upon Eric Johnston's return from Europe. Difficulty in assembling the personnel for the parley is raising the question of holding the meeting in the East.

Meanwhile, Johnston, exhausted and nursing a bad cold, spent part of the day resting and part conferring with his MPAA aides. A full-dress conference with his top assistants is scheduled for tomorrow. All indications are there will be no statements to the press before Wednesday or Thursday.

British Lion to Get First U. K. Loan

LONDON, Oct. 18.—First advance of government money in aid of film production here is expected to be a $3,000,000 loan to British Lion Film Corp., Ltd., before the end of the month. Sir Alexander Korda's London Films is the production affiliate of British Lion.

James H. Lawrie, chairman of the government's Film Finance Corp., has indicated that he will advance only 25 per cent of a suggested production

(*Continued on page* 4)

Coast AFL Council Asks Reissue Limit

Hollywood, Oct. 18.—Charging that the "abuse and overuse of reissues" is unfair to the public, detrimental to the box-office and is creating unemployment, the Hollywood American Federation of Labor Film Council, today called upon producers and distributors to limit the number of reissues in any one year to a small percentage of new pictures released during that year. The council, which represents almost every AFL union and guild in the studios, also urged that reissues be limited only to "recognized masterpieces of motion picture art."

John Adler Heads ITO of Wisconsin

MILWAUKEE, Oct. 18.—John T. Adler is the new president of the Independent Theatre Owners of Wisconsin and Upper Michigan.

Concluding sessions of the organization's meeting were held here at the Schroeder Hotel with unity as its future keynote, and William L. Ainsworth, national Allied States president, asking for continued support.

Dues were raised from 15 cents to 20 cents per seat, annually, and the following national officers were elected:

Vice-president, F. J. McWilliams, Madison; secretary, Arnold Brumm, Milwaukee; treasurer, Edward Johnson, Milwaukee. A business manager

(*Continued on page* 3)

Discipline Erring Stars, Allied Asks

WASHINGTON, Oct. 18.—Allied States Association today criticized the "misbehavior of Hollywood stars" as a chief cause of the industry's bad public relations, and called on the industry to devise "some method for disciplining erring stars, instead of condoning their misdeeds."

A bulletin by Allied counsel Abram F. Myers, reporting on the results of an executive committee meeting here at the weekend, said the executive committee considered a solution proposed by Joseph P. Finneran of Indiana. Also, Myers was directed to devise "practical machinery for carrying the proposal into effect," and to report the results to the Allied board meeting in New Orleans, Nov. 27 and

(*Continued on page* 3)

$150,000 in Back Pay for Film Salesmen

$70 Week Minimum Set Under Colosseum Pact

Film salesmen of 11 distributors will shortly receive a total of about $150,000 in retroactive pay increases won by the Colosseum of Motion Picture Salesmen in negotiations with the companies, it was estimated here yesterday as the Colosseum and distributors jointly announced mutual acceptance of union contract terms following weekend convention of the Colosseum in Chicago.

The $10 per week salary increase which will go to each of the approximately 1,000 salesmen involved under the 11 contracts will be retroactive to July 21 last, the date on which the National Labor Relations Board certified the Colosseum.

Contracts signed by Colosseum executives yesterday and expected to be signed by company representatives here this week, provide for the following additional benefits: $70 per week minimum salaries after one year of employment; one-week vacations after six months' employment, and

(*Continued on page* 3)

$62,577 Republic Profit in 39 Weeks

Net profit of $62,577 for the 39 weeks ended last July 24 was reported here yesterday by Republic Pictures, after providing $40,000 for Federal taxes. The net is equal to 15 cents each on 400,000 preferred shares. No comparison with the similar period of the previous year is available.

For the 26 weeks to April 26, this year, the company had a net profit of $236,832, equal, after preferred dividend requirements, to two cents each on 1,817,860 common shares.

Services Today for David A. O'Malley

NORWOOD, Mass., Oct. 18.—Funeral services will be held here today at Gilhooly Funeral Home for David A. O'Malley, advertising and publicity director for Columbia Pictures International Corp., who died in St. Clare's Hospital, New York, at the

(*Continued on page* 4)

Personal Mention

HERBERT J. YATES, Republic president, is here from the Coast.

•

CHARLES SCHLAIFER, 20th Century-Fox advertising-publicity director, was in Omaha yesterday from New York to be at the bedside of his mother who is critically ill.

•

LEON BRANDT, Eagle-Lion exploitation manager, will leave here today for Boston. JOSEPH SUGAR, head of the E-L film contract department, was in Boston yesterday from New York.

•

J. ROBERT HARRIS, son of Realart board chairman JOSEPH HARRIS, and his wife have become parents of a son, JOHN WILLIAM, born at Lying In Hospital, New York.

•

ARTHUR PRATCHETT, Paramount's Latin America supervisor, flew last night to his Mexico City headquarters from New York.

•

HOWARD DIETZ, M-G-M advertising-publicity vice-president, will fly to the Coast tomorrow from New York.

•

B. G. KRANZE, Film Classics worldwide sales head, left here yesterday on a trip through New England and Midwest exchanges.

•

ARTHUR HORNBLOW, JR., M-G-M producer, flew to London over the weekend from New York en route to Italy.

•

WILLIAM C. GEHRING, 20th Century-Fox assistant general sales manager, left here yesterday for Boston.

•

N. PETER RATHVON was due to arrive in New York last night from Hollywood.

•

DAVID W. SIEGEL, Eagle-Lion producer, will return to Hollywood tomorrow from New York.

•

BRYAN FOY, Eagle-Lion producer, arrived here over the weekend from Washington.

•

DAVID HORNE, Film Classics foreign sales manager, has left New York for Havana.

•

JOSEPH MOSKOWITZ, 20th Century-Fox studio liaison, has left Hollywood for New York.

•

RUBE JACKTER, Columbia assistant general sales manager, will leave here today for Canada.

•

WILLIAM WRIGHT, M-G-M producer, left the Coast yesterday for Cincinnati.

•

MAURICE B. (BUCKY) HARRIS, exploiteer, has rejoined Universal-International.

•

HAROLD MIRISCH, Allied Artists vice-president, has returned to Hollywood from Dallas.

Variety Convention Committees Named

SAN FRANCISCO, Oct. 18.—Plans are underway for the 1949 Variety International convention to be held here May 2-7. Rotus Harvey, general chairman, expects the local tent will entertain over 1,500 delegates and guests. The convention theme will be closely in harmony with the state centennial with a final banquet for the presentation of the "Humanitarian Award" for 1948.

On the convention executive committee are: A. Blumenfeld, Homer Tegtmeier, Jack Marpole, Roy Cooper, and Rotus Harvey.

Other commitees include: registration, Ben Levin; journal, Irving M. Levin; transportation, Ted Galanter; decoration, R. A. Eckles and William David; radio, L. Malloy and Bill Baldlin; arrangements, Guy Cherney; hotels, Clifton Reynolds; entertainment, Ken Dailey and J. Dahlinger; publicity, Charles Shutt; greeters, R. Ryan and Nate Blumenfeld; rodeo, J. Harvey and R. W. Harvey; printing, Matty Mateo; finance, Roy Cooper; scrap book, Gale Santocomo; fights, Leslie Jacobs; ladies' entertainment, Sylvia Levin, and information, Dorothy Haley.

Albany Variety Sets SmakwitzTestimonial

ALBANY, N. Y., Oct. 18.—Testimonial dinner for Charles A. Smakwitz, former chief barker, will be held at the Colonie Country Club on Nov. 15 under the auspices of the local Variety Club. Smakwitz was recently promoted to zone manager for Warner Theatres. A committee which includes Mayor Erastus Corning among its honorary members and headed by Neil Hellman, is in charge.

Pittsburgh Variety Will Honor Harris

PITTSBURGH, Oct. 18.—John H. Harris, "Big Boss" of Variety Clubs International, will be honor guest at the Pittsburgh Variety Club's annual banquet to be held at the William Penn Hotel here on Nov. 14. The affair has been scheduled to coincide with the Pittsburgh Steelers-Chicago Cardinals football game.

Auerbach Forms Outfit

George Auerbach, former producer and writer at M-G-M and Paramount, will fly to Hollywood today from New York to arrange for a technical staff, studio space and distribution for a new independent producing company which he heads. First of three films scheduled is "St. Benny the Dip," which will go into production after June 1 when Marlon Brando, who is currently appearing in "A Streetcar Named Desire," will be available for the title role.

Regal Ads Through Conti

Conti Advertising Agency here will handle advertising and promotional activities of Regal Television Picture Corp. Regal operates key city exchanges nationally for television product.

SGP to Expand Its Field Sales Forces

Screen Guild Productions' board of directors will meet here on Friday to finalize arrangements for the employment of 11 special salesmen who will "beat the brush"—concentrate on selling SGP product to untouched rural locations—at salaries and expenses totaling $100,000 a year, it was disclosed here yesterday by Robert L. Lippert, SGP president, upon his arrival from the Coast.

Lippert, who also heads the 61-theatre Lippert Circuit of Northern California and Southern Oregon and, additionally, produces and directs pictures for SGP release, said the company has already employed two of the special salesmen and will take on others as quickly as they can be found. Company expects to begin its new program early next month, and will keep "long range" results in mind.

Lippert Productions, he said, has completed seven of the 16 pictures it has scheduled for production in 1948-49, has four now in production and will complete the remaining five by next March. Next season the producer will increase his output to 26, he said. In addition to Lippert productions, SGP releases reissues and foreign productions.

Speaking as a circuit owner, Lippert said he believes only one-fifth of the patronage-potential attend U. S. theatres regularly. He holds that if a picture succeeds in New York City the chances are it will fail in the "hinterlands." With companies like Republic and Monogram endeavoring to identify themselves more and more with "A" product, SPG will seek to replace the vacancy in "B" picture production, Lippert said.

Leserman Weighing New Industry Post

Carl Leserman, veteran distribution executive, indicated upon arrival in New York from the Coast yesterday that he anticipates a new industry post shortly but declined to divulge details. Here for two to three weeks, Leserman said he has "a few things in mind" in the way of a new film position, and declared he might have an announcement to make by the end of this week. Prior to his recently terminated association with independent producer Benedict Bogeaus, Leserman held top sales posts with Warner and United Artists.

Ascap Files Form Of Nordbye Finding

MINNEAPOLIS, Oct. 18.—Federal Judge Gunnar Nordbye today took under consideration the form of findings in the Bennie Berger-Ascap case filed by Thomas Vennum of Ascap counsel. Answer to the findings, which Ascap wants Nordbye to include in his decision handed down in the case on Sept. 10, will be filed tomorrow by Louis Schwartz, Berger counsel.

In opposing the new Ascap move, Schwartz will contend the findings filed by Ascap are improper and have no bearing either on the case or the Nordbye decision.

Goldman Named E-L Branch Manager

CHICAGO, Oct. 18.—Harry Goldman, Warner salesman since 194(has been appointed Eagle-Lion branc manager here, succeeding Clarenc Phillips who resigned last week. Goldman started with FBO in 1924, wa with the Ben Lasker Theatre Circui from 1930 to 1940, and rejoined War ner in 1946 when he returned fron service, having been with the compan from 1940 to 1942.

Wilson Buys Into N.W. Screen Guild

PORTLAND, Ore., Oct. 18.—Purchase of an interest in the Oregon and Washington franchises of Screen Guild Productions is announced by R. O. Wilson, long identified with distribution in the Portland area. With Mort Bramson, Wilson will operate the Portland and Seattle Screen Guild offices.

Leonard Levy Honored

NEW HAVEN, Oct. 18.—Leonard L. Levy, associated with the law firm of Herman M. Levy, general counsel of the Theatre Owners of America, has been awarded the Nathan Burkan Memorial prize of $100 for his paper, "Copyright and the Motion Picture."

NEW YORK THEATRES

RADIO CITY MUSIC HALL
ROCKEFELLER CENTER
Greer Garson, Walter Pidgeon
in "JULIA MISBEHAVES"
Peter Elizabeth Cesar
LAWFORD - TAYLOR - ROMERO
A Metro-Goldwyn-Mayer Picture
SPECTACULAR STAGE PRESENTATION

EDWARD G. ROBINSON
GAIL RUSSELL
JOHN LUND in
"Night has a thousand Eyes"
A Paramount Picture
In Person TONY PASTOR And His Orchestra
Plus ROCHELLE & BESBE
NIP NELSON
Extra Added Attraction
VIC DAMONE
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

HOWARD HAWKS'
RED RIVER
CAPITOL B'way & 51st St.
— In Person —
TONY & SALLY DeMARCO
BUCK & BUBBLES
NAT BRANDWYNNE and his Orch.
ROSE MARIE

FIRST TIME AT POPULAR PRICES!
RKO PRESENTS
"MOURNING BECOMES ELECTRA"
Brandt's MAYFAIR 47th St. 7th Ave.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; Theatre Sales; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

Republic N.L.R.B. Election on Nov. 3

National Labor Relations Board examiner John J. Carmody yesterday set Nov. 3 for an election among Republic's home office "white collarites" to determine whether the employes want to be represented for collective bargaining purposes by IATSE Motion Picture Home Office Employes Local No. H-63. A "definite majority" of the employes, H-63 claims, has retained membership in the Screen Office and Professional Employes Guild and now seeks H-63 representation.

Election date was set at a hearing at the NLRB here. Among those attending were James Rogers, IATSE international organizer; Joseph Conlon, H-63 organizer, and J. E. McMahon, Republic secretary.

H-63, UA Will Begin Pact Negotiations on Thursday

IATSE Motion Picture Home Office Employes Local No. H-63 negotiators will meet here on Thursday with United Artists' secretary Harry Buckley to open negotiations on a contract for the newly-certified H-63 unit of "white collarites" at UA, it was announced here yesterday by Joseph Conlon, H-63 organizer.

Aarons Is Reelected Warner Club Head

Annual meeting of the national Warner Club was held over the weekend at the Warner home office here. Delegates re-elected Stuart H. Aarons president. Other officers named include:

Robert McClure, vice-president; Bernard Rosenzweig, vice-president in charge of membership; Harry Mayer, vice-president in charge of social activities; Ruth Weisberg, vice-president in charge of welfare; Fred Stengl, vice-president in charge of claims; Robert Salomons, treasurer; Sam Wolowitz, assistant treasurer; Joseph D. Kary, secretary.

New Realart Branch

ATLANTA, Oct. 18.—Realart of the South will open a branch in Jacksonville, Fla., in the near future, Ralph Peckham, general manager, discloses here.



Now... de luxe all-sleeper service

New York to Paris

every Friday 4 P. M. EST

Fly on world-proved TWA Constellations. Cocktails, champagne, vintage wines. Filet mignon dinner. Bed-size berths! Hot breakfast! Call TWA or your travel agent.

The only Coast-to-Coast Constellations

TWA

TRANS WORLD AIRLINE

U.S.A. • EUROPE • AFRICA • ASIA

Film Salesmen

(*Continued from page* 1)

two weeks after a year; automobile expenses of seven-and-one-half cents per mile for "country" salesmen, and $3.50 flat per day for "city" salesmen, with no reductions to be effected in cases where higher rates are now received; hotel and meal expense of $8 per day, retroactive to Sept. 19. Contracts cover a period of two years, but provide for reopening of negotiations at the end of the first year on wages and/or expenses.

"Maintenance of membership shop" has been conceded by the companies provided the majority of Colosseum members vote to have it inserted in contracts. NLRB will be petitioned for such an election. If included, that provision would mean a salesman could not resign from the union until the end of the two-year contract period.

Representing the Colosseum in the negotiations were Mel Keller (committee chairman), Frank Flaherty, N. Provenchure and attorney David Beznor. Companies' negotiating group included C. J. (Pat) Scollard (chairman), Harry Buckley, Joseph McMahon, Charles O'Brien and attorney Burton A. Zorn.

Keller Succeeds VanDyke As Colosseum President

CHICAGO, Oct. 18.—Mel Keller, Warner salesman at Portland, Ore., has been elected the second president of the Colosseum of Motion Picture Salesmen, succeeding A. M. VanDyke, 20th-Fox, Chicago. Other officers elected by the 82 Colosseum delegates to the organizations' first national convention here were: N. Provenchure, secretary; H. B. Wynn, Jr., Pat Halloran and George Tice, executive vice-presidents; Bill Warner, Western regional vice-president; Milton Simon, Midwest regional vice-president; Tom McKean, Southern vice-president; Charles Dortic, Eastern vice-president.

6 US Companies Face Italian Strike Threat

Some 1,800 Italian employes of six U. S. distributors in Italy have been preparing for a strike on an unspecified day this week over refusal by some companies to grant workers the right to organize a union that would discuss a contract on a national basis, according to press dispatches reaching here from Rome.

Meanwhile, operators were called out on strike on Friday, but union orders were widely disregarded, the press reports said.

Truman Story Told In Special Reel

A special press screening of "The Truman Story," a 10-minute reel that will be shown in the nation's theatres beginning tomorrow, was held here yesterday at Universal-International's home office projection room. The reel was made by Universal News in cooperation with the Democratic Party, and is being used under a pooling arrangement by all five newsreels as a public service. "The Dewey Story" was shown in theatres last week.

New CBS Video Outlet

WNHC-TV, New Haven, has been added to Columbia Broadcasting's television network.

W. Virginia Owners Will Meet Nov. 12-13

Cincinnati, Oct. 18.—The West Virginia Theatre Managers Association, with a membership of 200, will hold its 15th annual convention at the Netherland Plaza Hotel here, Nov. 12-13, instead of at White Sulphur Springs on another date, as originally planned, it was announced by Wendell H. Holt, Richmond, president.

The organization is an affiliate of Allied States.

John Adler Elected

(*Continued from page* 1)

is to be named at the next meeting. Board of directors are: Zone 1A: Milwaukee area, Edward Johnson, Mrs. Helen Hanke, Arnold Brumm; zone 1, Charles Trampe, Milwaukee; zone 2, Floyd Albert, Mt. Horeb; zone 3, George Panka, Prairie Du Chien; zone 4, L. V. Bergtold, Westby; zone 5, Russell Leddy, Green Bay; zone 6, Eric Brown, Plymouth; zone 7, John Hanus, Antigo; zone 8, Sig Goldberg, Wausau; zone 9, John E. Adler, Marshfield. Director at large —F. J. McWilliams. Over 300 attended the sessions.

"A number of problems remain to be solved," said Charles Niles, director of Allied Independent Theatre Owners of Iowa-Nebraska, "but the Smith-Berger plan is impressive and I look to a brilliant future for it."

Two Are Elected to Mich. Allied Board

DETROIT, Oct. 18.—Continuing with the progress in the field election of members of the board as provided for in recently adopted changes in the constitution and by-laws, two more meetings have been held by members of Allied of Michigan. At a meeting held at Paw Paw Town Hall, Ray Branch was elected a member of the board from the fourth district and Mort Dennis was named alternate. At Grand Rapids, members elected Herb Boshoven from the Franklin Theatre, Grand Rapids, a member of the board and John S. Oatley of Rockford as alternate.

Allied Asks

(*Continued from page* 1)

28. If the board approves, the proposal will then go to the Allied convention, there.

Attending the executive committee meeting were Myers, Allied president William Ainsworth, Benjamin Berger, Ray Branch, H. A. Cole, M. A. Rosenberg, Martin G. Smith, Nathan Yamins, convention committee chairman Abe Berenson, and reservations committee head Maurice J. Artigues.

To Promote 'Stay Happy'

Joan Fontaine, co-starred with James Stewart in "You Gotta Stay Happy," Rampart production being released by Universal-International, will sponsor a 10-city flying tour of Mrs. America and her husband for advance promotion of the film. Mrs. Ray Strohmeier of Philadelphia was chosen Mrs. America last month.



RKO Officials' Aid May Save a Life

LONDON, Oct. 18.—The life of Mrs Reginald Nash, wife of RKO Radio's manager at Sheffield, Yorkshire, may have been saved by the good deed of Robert Wolff, RKO managing director here, and Phil Reisman, RKO foreign manager.

Dangerously ill, Mrs. Nash could be helped only by streptomycin, doctors felt. The drug is not available here. Wolff phoned Reisman in New York and the latter had the doctor's prescription on a plane in a few hours. It was rushed to Mrs. Nash who now stands every chance of recovery.

British Lion

(*Continued from page* 1)

financing program, leaving it to distributors to find the other 75 per cent. Interest rates will depend on the risk involved, he indicated, although he visualizes four per cent as a minimum. Loans could be extended up to the maximum of five years, the period for which the corporation is chartered by the government.

Film Finance Corp. at present is empowered to deal under Treasury guarantee with sums up to $10,000,000.

Services for O'Malley

(*Continued from page* 1)

weekend after a short illness. He is survived by the widow, Pauline Killen O'Malley, and a brother Thomas.

Born in Boston and educated at Boston University, he originally started with C.B.C. Film Sales Corp., and subsequently was associated with Equity Pictures and F.B.O. He joined Columbia in 1934.

O'Malley was a member of AMPA, serving as treasurer in 1942, and as vice-president in 1945.

S. S. Goodlett, 53

DENVER, Oct. 18.—Sebe S. Goodlett, 53, for 18 years a National Screen Service salesman, died at his home here after an illness of a month. He is survived by his mother, Mrs. Alice Goodlett. Funeral services were held in Denver, with burial in Georgetown. Texas, his birthplace. At 23, he operated a theatre there.

Mrs. Edythe C. Neill

HOLLYWOOD, Oct. 18.—Edythe Chapman Neill, 85, screen and stage, died at her home in Glendale on Friday after a brief illness. The widow of James Neill, actor, she came to Hollywood nearly 40 years ago and began in pictures for Cecil B. DeMille.

Frank Salley, Salesman

ATLANTA, Oct. 18.—Frank W. Salley, 55, for many years sales representative for RKO Radio in Atlanta, died on Saturday of a heart attack in Chicago while attending the meeting of the Colosseum of Motion Picture Salesmen of America.

William Evans, 55

PORTLAND, Ore., Oct. 18.—William Leonard Evans, 55, pioneer exhibitor, who for many years operated the Post Street Theatre at Spokane, died at Seaside, Ore., today.

Clinton Payne, Exhibitor

PAWTUCKET, R. I., Oct. 18.—Funeral services were held today for Clinton Payne, owner of the Leroy Theatre here, who died Saturday night.

3 to Hit Proposal

(*Continued from page* 1)

ment's proposed findings and conclusions: "Clearance, reasonable as to time and area, is essential in the distribution and exhibition of motion pictures whenever and wherever the available supply of prints is inadequate to satisfy the demand for simultaneous exhibition."

Meanwhile, lawyers for the theatre-owning defendants are preparing briefs answering the one submitted by the Department which asks for early divestiture of approximately 1,400 theatres and ultimate divorcement. They intend to raise the point that the Government in its document attempts to shift the burden of proof upon the distributors, demanding that the companies show why theatres should not be divested, instead of the Government showing why they should, it is believed.

Lawyers are moving ahead on the possibility, if not probability, that a consent decree will not be entered on the subject of divestiture before the Nov. 8 hearing on the form of an order in the case. Several company lawyers queried here yesterday professed no knowledge of any new progress having been made in the direction of a settlement.

AAA Files

(*Continued from page* 1)

St. Louis Circuit Court of Appeals, throwing out the case, and today the AAA and Conner filed their briefs.

The AAA argued that the distributors could not be held guilty for merely complying with a system set up in the consent decree. The decree was a valid exercise of the New York Court's power, it declared, and any question of its validity is now foreclosed by the Supreme Court's Paramount decision. "If the full purport of the Paramount decision is to be realized," it said, "then it follows that the actions of the distributors within the framework of the consent decree constitute no actionable wrong under the Sherman Act."

If the distributors had acted any differently, the brief pointed out, they would have exposed themselves to possible contempt proceedings. The AAA also claimed that the U. S. was a vital party to the case since it agreed to the consent decree.

$840,000 Trust Suit

(*Continued from page* 1)

with violations of the Sherman and Clayton anti-trust acts.

Similar to anti-trust suits filed in other sections of the country, the charges date from Jan. 1, 1941 to May 1, 1945 when the Tiffin played in "C" week of release. Defendants are: Balaban and Katz, Publix Great States, Warner, Loew's, RKO Radio, 20th Century-Fox, Paramount, Columbia, Universal and United Artists. Seymour Simon is plaintiff's attorney.

M-G-M Drops 'Mountie'

OTTAWA, Oct. 18.—Sam Marx, producer, Metro-Goldwyn-Mayer studios, Hollywood, said here today the studio has dropped its plan to make a feature picture of the Royal Canadian Mounted Police. Marx, who left for New York later, said his company was leaving the subject to 20th Century-Fox because "we find that Fox has already made a considerable investment in a picture dealing with the RCMP."

'Joan' Benefit for Hospital Charity

The United Hospital Fund here will be the beneficiary next month of a special pre-premiere performance of "Joan of Arc," starring Ingrid Bergman. The event, to be attended by state and city officials and leaders of New York society as well as stars of stage and screen, will take place Wednesday evening Nov. 10, in the Victoria Theatre here.

The performance is being made possible by Sierra Pictures, comprising Miss Bergman, Victor Fleming, director, and Walter Wanger, producer. The Victoria is being donated for the performance by Robert W. Dowling, president of City Investing Co.

Warner Bros. Can Sue Joan Leslie

WASHINGTON, Oct. 18.—The U. S. Supreme Court here today refused to review a California Supreme Court decision that Warner Brothers can go ahead with a breach of contract suit against Joan Leslie, who, on reaching 21, broke a contract made when she was 17. She claimed she was a minor and could not be held responsible. Warner then sued to keep her from working for any other studio on the ground the contract was binding. Lower California courts found for Miss Leslie, said Warner could not sue but the California Supreme Court said it could.

Telecasters To Meet Dec. 8

Annual meeting and television clinic of the Television Broadcasters Association will be held on Dec. 8 at the Waldorf-Astoria Hotel here.

Griffith Case

(*Continued from page* 1)

terprises is substantially nothing mo than a new name for the original d fendant firms in the nine-year-old ant trust action, Wex-Tex Theatres an R. E. Griffith Theatres.

Cochrane said, however, that wit the death several years ago of R. E Griffith, the two Texas circuits un derwent a change in ownership. H J. Griffith, one of the original defend ants in the case, is president of Gria tre Enterprises. Of the three sf fith brothers originally involved in th action, "H. J." is now the only on remaining active.

L. C. Griffith, president of Okla homa Griffith Amusement Co., suf fered a stroke two years ago and ha since retired.

The U. S. Supreme Court's mandat in the Griffith case reversed lowe court decisions and held the circuit guilty of Sherman Act violations.

Rooney and Steifel In New Company

HOLLYWOOD, Oct. 18. — Rooney-Steifel, Inc., new production company for pictures, television films and radio packages, was announced here. Officers are: Mickey Rooney, president Mort Briskin, vice-president; Sam Stiefel, secretary-treasurer.

Critics Hear Seadler

Silas F. Seadler, M-G-M director of advertising, addressed the Critics' Circle of the Foreign Language Press here at the weekend. He discussed pictures in general and their relation to the foreign speaking population of New York.



Clarence Kaimann,
president,
Kaimann Theatres, Inc.,
St. Louis, Mo., says:

"WE THINK OF ALTEC AS A FRIEND OF OUR BOX OFFICE"

"Not one out of a thousand of our patrons even remotely realizes the investment we have made to give them high quality sound and complete listening satisfaction. To safeguard that investment, the Altec engineer's regular visits to our theatres are a good investment in themselves, and we are aware that we are getting even more than his personal know-how. We know the value to us of the constant Altec research work in improving methods to make our equipment do a better job of entertainment, and operate economically. We think of Altec as a friend of our box office."

ALTEC SERVICE CORPORATION
161 Sixth Avenue
New York 13, N. Y.

Altec Service, known for its "service over and above the contract," is a vital ingredient of your theatre's ability to meet successfully the competition of other forms of entertainment. An Altec Service contract is the soundest long-term investment an exhibitor can make today.

THE SERVICE ORGANIZATION OF THE MOTION PICTURE INDUSTRY

FILE COPY
DO NOT REMOVE

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 84. NO. 77 NEW YORK, U.S.A., WEDNESDAY, OCTOBER 20, 1948 TEN CENTS

'IA' May Pass Up Raise for Other Points

Coast Crafts Look for Pension, Sick Benefits

HOLLYWOOD, Oct. 19. — IATSE international representative Roy Brewer declared here today that the "IA" is possibly willing to settle on a new contract without a cost-of-living raise, provided producers accede to several other 'IA' demands such as a pension fund (of four per cent), paid holidays, sick leave and an adjustment of daily to weekly schedules." The "IA" contract with the studios expired on Jan. 1 and the union has asked for a seven-and-a-half per cent cost-of-living bonus for several

(*Continued on page 2*)

'IA' Lists Assets At $896,697 Peak

Assets totaling $896,697 for the last fiscal year were reported here yesterday by the IATSE in a financial statement published in accordance with the Taft-Hartley Law. It was the largest amount ever recorded in the entire history of the organization, according to William P. Raoul, general secretary-treasurer.

Total liabilities were listed at only $14,534. Total cash receipts for the year amounted to $817,260, including initiation and charter fees, interest, fines, dividends, etc. Expenditures during the year totaled $537,454, including expenses in connection with the Hollywood strike, salaries of officers and personnel, legal fees, convention expenses, etc.

Massachusetts May Regulate Checkers

Boston, Oct. 19.—The next state legislature will be asked to enact a law to license and regulate theatre checkers, it is understood. Sponsors would make it mandatory that no checker operate in the town in which he resides, this in order to preclude the disclosure of the amount of business done by a local theatre to townsfolk, especially disclosure to a theatre's competitor.

"Joan of Arc"

[*RKO-Sierra Pictures*] — Screen reaches new heights

HOLLYWOOD in its time has turned out many good pictures and not a few were exceptionally fine.

But you can count on the fingers of one hand those which have so nearly attained the image of truth in depicting significant human experience that they stand as landmarks in the art and history of the screen.

To those few there must be added now "Joan of Arc."

It is singular because of many things, most of them expertness in all phases of motion picture making. But its greatness derives from its story, from subject matter that permits it to rise to new heights. It is the story of human faith, not bound by earth.

It needed to be attempted only by the inspired.

INGRID BERGMAN'S portrayal of Joan of Arc in this Walter Wanger production is a remarkable accomplishment. She makes real the historic, yet nonetheless incredible feats of the 19-year-old French peasant girl who, through divine faith, rallied the beaten armies of France, led them to victory over the invading English, gave a throne and realm to King Charles VII, who had neither before, and by her martyrdom fired the people of France with a patriotic fervor that united them and won them freedom from the invader.

That is a role that less capable or less inspired talents than Miss Bergman brings to it would have made of it just another fairy tale, even though the role follows faithfully the things that Joan of Arc actually did. They are documented and as much a part of history as the feats of William the Conqueror, George Washington and Napoleon Bonaparte.

Yet, however documented, Joan's were feats that the practical mind can barely fathom. Miss Bergman's performance, fervent and restrained

(*Continued on page 4*)

Ex-Gov. Hoffman at ATOI Convention

INDIANAPOLIS, Oct. 19.—Former Governor Harold Hoffman of New Jersey will be the principal speaker at the annual banquet of the Associated Theatre Owners of Indiana to be held at Antlers Hotel here Nov. 10-11.

Among exhibitor leaders on the program will be Abram F. Myers, general counsel of national Allied; William Ainsworth, Allied president, and Charles Niles, secretary of national Allied, and Ray Branch, president, and Charles Snyder, secretary of Michigan Allied.

A feature of the convention will be a forum to discuss trade practices.

Frisch Heads Unit For Palestine Aid

Emanuel Frisch, treasurer of Randforce Amusements, yesterday was selected by a group of New York circuit executives at a meeting at the office of Malcolm Kingsberg, president of RKO Theatres, to head the film industry's participation in the American Red Mogen Dovid (Jewish Red Cross) campaign to raise $200,000 for medical aid to Palestine. The drive will be climaxed by a $100-per-plate dinner at the Waldorf-Astoria Hotel here on Nov. 22.

UMPTO Open for Conciliation Talks

PHILADELPHIA, Oct. 19. — Having adopted the Andy Smith plan for conciliating differences with distributors at yesterday's Ritz Carlton meeting of members here, the United Motion Picture Theatre Owners of Pennsylvania (TOA) has decided to seek similar arrangements with other film companies, Lewen Pizor, UMPTO president, discloses.

A meeting with 20th Century-Fox general manager Smith will be held here shortly to apply the plan to this territory. Meanwhile a UMPTO conciliation committee has been named,

(*Continued on page 2*)

Rank Pushing Plans For Video Shows

LONDON, Oct. 19.—J. Arthur Rank Organization's plans for public television exhibitions are proceeding. Within a week a short experimental film specially designed for televising will be in production at Rank's Elstree Gate studio. The film will be put on the air under the supervision of A. G. D. West, Rank's Cinema Television scientist, from his Crystal Palace station and will be sent to the screen of the theatre in Bromley, Kent.

US Films Sell In All Nations, Johnston Says

Reveals MPEA Approved Soviet, Yugoslav Deals

WASHINGTON, Oct. 19. — U.S. motion pictures are now being sold in every country in the world, Motion Picture Association of America president Eric Johnston declared today after revealing that the Motion Picture Export Association, at a hastily called meeting in New York last night, had approved terms of the agreements he negotiated to sell films to the Soviet Union and Yugoslavia.

Another MPEA meeting will be held in New York shortly to ratify a similar agreement with Czechoslovakia and to discuss other foreign details, he added. In outlining the re-

(*Continued on page 2*)

Most N.Y. 1st-Runs Are Doing Nicely

Business at Broadway first-runs this week is, in most instances, average or better.

Still excellent in its second week at Radio City Music Hall is "Julia Misbehaves," which, together with a stage presentation, is due for a solid $139,000. Also holding up nicely is "Johnny Belinda" at the Strand, where Freddy Martin's band occupies the stage; $65,000 is estimated for the third week. "Red River" is still big in its third week at the Capitol, with $72,000 expected; a stage show there

(*Continued on page 4*)

Mayer Optimistic of Brazil Settlement

Rio De Janeiro, Oct. 14 (By Airmail). — Gerald Mayer, managing director of the international division of the Motion Picture Association of America, who flew here last week from New York to confer with government officials on lifting prohibitive film restrictions and price controls, is quoted in the local press as being "convinced that the Central Price Commission will provide a satisfactory solution so as to permit the motion picture business here to return to normalcy."

Personal Mention

ROBERT MOCHRIE, RKO Radio distribution vice-president, will address the Tri-State Theatres Association convention in Memphis next Monday.

•

FRED MEYERS, Universal-International Eastern division manager; DAVE MILLER, district manager, and EUGENE VOGEL, Albany manager, were at Schine headquarters at Gloversville, N. Y., yesterday.

•

ARTHUR MAYER left here yesterday for Germany to take up his new duties as chief of the film branch of the Office of Military Government in that country.

•

IKE and HARRY KATZ of Kay Film Exchanges are due in New York tomorrow from Atlanta.

•

JULES LAPIDUS, Warner executive, left here last night for Boston and Buffalo.

Balaban to Studio; Wallis Deal Near

Barney Balaban, president of Paramount, plans to leave here at the weekend for his semi-annual Coast studio visit during which a new distribution deal with Hal Wallis Productions is expected to be finalized. Both Wallis and Joseph Hazen, president of the production unit, initiated negotiations for a new pact prior to their departure for Hollywood last weekend. Present deal terminates with Paramount's forthcoming releasing of Wallis' "The Accused."

SWG Weighs Answer To CEA's Hecht Ban

HOLLYWOOD, Oct. 19.—Action to offset the move by the general council of the Cinematograph Exhibitors Association in resolving to bar from Britain any films with which writer Ben Hecht is connected will be considered by the Screen Writers Guild board following an investigation, which was voted this week. CEA complained of Hecht's "anti-British" activities.

To Advance Albany TOA

ALBANY, N. Y., Oct. 19.—Harry Lamont, temporary chairman of the local Theatre Owners of America, will confer in New York on Friday with Gael Sullivan, TOA national executive director, following which it is expected an Albany organization meeting will be called here to elect additional directors and officers and launch an organization drive.

TOA Exec. Meet Oct. 29

BOSTON, Oct. 19.—Arthur Lockwood, president of the Theatre Owners of America, will arrive in New York on Friday for conferences at the organization's headquarters. He will also be in New York on Friday, Oct. 29 for an executive committee meeting.

Johnston

(*Continued from page* 1)

sults of his eight-week trip to nine European countries before 40 reporters at MPAA headquarters today, Johnston declined to estimate how much would be remitted under the European deals. Many of the film sales deals were in terms of blocks of 20 or 25 pictures, he said, and revenue would depend upon the number of blocks the countries take.

He reached an agreement "in principle" with the Italian government for unblocking frozen lira, Johnston revealed, adding that specific details of how much and when and how still have to be worked out.

No Problem from Independents

In the countries on his itinerary, Johnston reported the following accomplishments:

England: Policy of playing U. S. films only with other U. S. films was initiated. Sales by independents, enunciated as the policy to be pursued by the Society of Independent Motion Picture Producers, will not affect MPEA's dual programs policy, he said, pointing out that if, for instance, a United Artists film is booked as a first feature, an MPEA member's film can be shown as a second feature.

Russia: Agreement to sell U.S. films to Russia in blocks of 20, with payment made in dollars in New York. Films will be for showing in the Soviet Union and cannot be used for re-export.

Yugoslavia and Czechoslovakia: Deal for the purchase of 25 pictures at a time, with payment not for outright purchase but on a percentage basis. Johnston said he had assurances earnings would be freely remittable.

Spain: Franco reversed an earlier decision to bar "Gentleman's Agreement." Insisting that he is "unalterably opposed" to all dictatorships, including the Spanish regime, Johnston called for diplomatic recognition of Franco as of "any established government."

Work on List for Soviet

With approval of the Soviet and Yugloslav deals by the MPEA, work has begun on drawing up the lists of films. This would be done by the MPEA selection committee, followed by a review by each company president and foreign sales manager for their respective companies, Johnston said, and added that a list will be submitted to the Russian government "immediately."

In addition to Johnston, those present at the MPEA meeting in New York were:

Francis Harmon, Fred DuVall, John McCarthy, Robert Chambers, Sidney Schreiber, Tom Waller, Spyros Skouras, Maurice and Emanuel Silverstone, Otto Koegel, Andy Smith, Ned Depinet, Gordon Youngman, Phil Reisman, Robert Hawkinson, Robert Mochrie, John Whitaker, Barney Balaban, Adolph Zukor, Robert O'Brien, J. W. Piper, Lou Novins, Leonard Goldenson, Nicholas Schenck, Charles Moskowitz, Morton Spring, Joseph Vogel, Leopold Friedman.

Also, Abe Schneider, Arnold Picker, Irving Moross, Gradwell Sears, Albert Warner, Samuel Schneider, Wolfe Cohen, Robert W. Perkins, Ben Kalmenson, William Sartori, Edward Morey, Roy Disney, William Levy, James Mulvey, Al Crown, Theodore Black, Nate Blumberg, John O'Connor, J. Cheever Cowdin, Charles Prutzman and Al Daff.

Cincinnati Tops AA-Mono. Bookings

HOLLYWOOD, Oct. 19. — Cincinnati exchange is the winner of the first prize of $1,500 in Allied Artists-Monogram booking drive which ran from April 2 to July 30, and the second prize, $1,000, went to Milwaukee. Oklahoma City, San Francisco and Atlanta won the following three prizes. Nate Levin of Boston was awarded first of three special prizes for outstanding individual performance, with Ben Graham of Dallas and Hal Jordan of Atlanta in runner-up positions.

French Film Given 'C' Rating by Legion

Lopert Films' "The Room Upstairs" (French) has been rated class "C" by the National Legion of Decency. "Blanche Fury," J. Arthur Rank-Eagle-Lion, was given a "B" rating. Classified as A-II were Film Classics' "Appointment with Murder" and Universal-International's "Kiss the Blood Off My Hands." Columbia's "The Big Sombrero" was classified A-I.

'IA' May Pass Up

(*Continued from page* 1)

hundred workers of its studio craft affiliates.

Labor costs are not a determining factor in the reduction of production budgets, Brewer declared, adding: "The bulk of 'IA' labor gets just a shade above the market value of labor, and since only one-third of a production budget goes to labor, a 25 per cent wage cut would result in only a five per cent saving for producers on production.

"Hollywood," continued Brewer, "must adjust costs on the basis of potential earnings. Labor costs can be adjusted but little. Cuts should come in set and production methods. Trouble is that general costs are still geared to foreign market income."

UMPTO Conciliation

(*Continued from page* 1)

as follows: Abe Sablowsky, William Hissner and Fred Osterstock. Alternates are David Yaffe, Mike Egnal and Melvin Fox. Under the resolution adopted by members, the committee is permitted to add two additional members, a regular and an alternate. The committee has been authorized to seek an appointment with Smith.

Newsreel Parade

THE TRUMAN STORY is a feature in all current newsreels, with football trailing for prominent coverage. Complete contents follow:

MOVIETONE NEWS, No. 84.—"The Truman Story." Pigskin parade: Penn Columbia, Michigan-Northwestern.

NEWS OF THE DAY, No. 214—Michigan upsets Northwestern; Penn beats Columbia in thriller. "The Truman Story."

PARAMOUNT NEWS, No. 1[illegible] "The Truman Story." Some 86,000 see Michigan crush the Wildcats. Penn beats Columbia in final seconds.

UNIVERSAL NEWS, No. 188—Football: Michigan 28-Northwestern 0; Penn 20 Columbia 14. "The Truman Story."

WARNER PATHE NEWS, No. 19—Gen. Clay visits Ruhr. "The Truman Story." Michigan sweeps Northwestern.

Charles Schlaifer's Mother, 76, Is Dead

OMAHA, Oct. 19. — Mrs. Ziril Schlaifer, 76, mother of Charles Schlaifer, director of advertising-publicity for 20th Century-Fox, died here early today of a heart attack. Schlaifer left New York at the weekend to be at her bedside. Burial will take place tomorrow at the Golden Hill Cemetery, Omaha.

Survivors include four other sons, Israel, Leo, Nathan and Morrie. Mrs. Schlaifer was the widow of Omaha A. Schlaifer, who died last August.

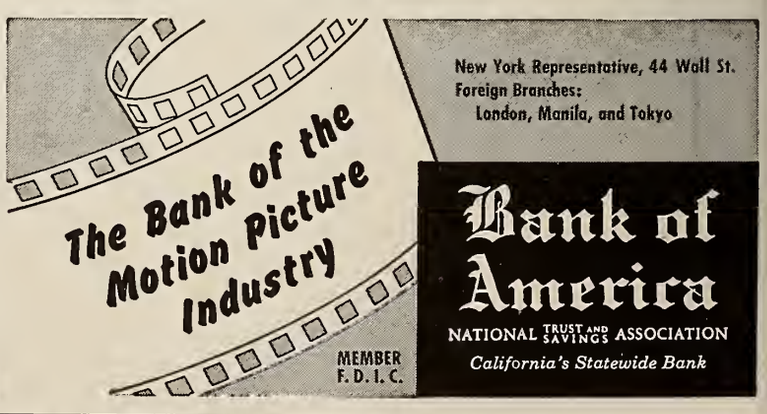
Need for New Talent Cited by D. W. Siegel

Independent producer David W. Siegel believes a step-up in the development of new Hollywood talent can help stimulate theatre business. Siegel, who produced "Mickey" for Eagle-Lion, will return to Hollywood today after a week in New York.

The producer disclosed that he and Arthur B. Krim, E-L president, expect to reach a decision shortly on a new vehicle for Lois Butler, starlet of "Mickey."

Phillips Leaving E-L

CHICAGO, Oct. 19.—Clarence Phillips, Eagle-Lion branch manager, here, has resigned, effective Friday. No replacement has been made as yet. At the same time, Lipton Astrachan, former Warner salesman in Buffalo, has joined the E-L sales staff here.



MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; Theatre Sales; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

TO GUS EYSSELL:
ulations on your 30 Years in Show
! Again, you've picked a record-breaker!

Radio City Music Haul!

"Julia Misbehaves" sets new all-time M-G-M record for 1st week and continues misbehaving beautifully!



M-G-M presents GREER GARSON • WALTER PIDGEON in "JULIA MISBEHAVES" • PETER LAWFORD • ELIZABETH TAYLOR • CESAR ROMERO • Lucile Watson • Nigel Bruce • Mary Boland • Reginald Owen • Screen Play by William Ludwig, Harry Ruskin and Arthur Wimperis • Adaptation by Gina Kaus and Monckton Hoffe • Based Upon the Novel "The Nutmeg Tree" by Margery Sharp • Directed by JACK CONWAY • Produced by EVERETT RISKIN • A Metro-Goldwyn-Mayer Picture

THEATRE ENTRANCE

DOUBLE-LINE CIRCLES BLOCK

Lines around Radio City Music Hall! Your public will soon know the fun and you'll know the profits of M-G-M's new audience sensation!

N. Y. Grosses

(Continued from page 1)

features dancers Tony and Sally DeMarco.

"Apartment for Peggy," with a stage show, got off to a good start at the Roxy, where a first week looks like $118,000. At the Park, "Hamlet" continues to do capacity business in its third week, with over $16,000 grossed; second week resulted in more than $17,000, a Columbus Day matinee accounting for the additional take.

"Night Has a Thousand Eyes," and singer Vic Damone on stage, opened to substantial business at the Paramount, where the initial week is expected to top $80,000. Another brisk starter is "Walk a Crooked Mile," whose first week's business at the Criterion looks like a good $32,000. At the Mayfair, $30,000 for the first week of the previously roadshown "Mourning Becomes Electra" is described as being very good. First week of "Gallant Blade" at the Rivoli is unimpressive with $16,500 expected. "Rope" is rather mild in its eighth week at the Globe, with $18,000 in sight.

Seventh and final week of "Loves of Carmen" brought a fair $22,500 at Loew's State, where "The Three Musketeers" takes over today. "A Song Is Born" opened yesterday at the Astor, where the 12th and final week of "The Babe Ruth Story" brought a very low $7,500. The Danny Kaye film opened heavily, running ahead of the big "Best Years of Our Lives" opening, by a gross of $2,160 against the $2,100 grossed by "Lives," both up to the mid-afternoon of their respective opening days. Two new pictures will open here on Friday: "The Red Shoes," at the Bijou, under an advanced admission policy, and "Blanche Fury," at the Sutton.

20th Club Dinner

Some 500 members and guests attended the 20th Century-Fox Family Club annual dinner-dance held at the Iceland Restaurant here last night. March of Time was represented by a contingent headed by Frank Shea and Marjorie Harker. Lew Lehr, club president, was master of ceremonies.



Have YOU tried a SKYBERTH on American's famous DC-6 "MERCURY" flight to LOS ANGELES?

Phone HAvemeyer 6-5000 or your travel agent

Ticket Offices: Airlines Terminal
Rockefeller Center • Hotel New Yorker
120 Broadway • Hotel St. George

AMERICAN AIRLINES

'Joan's' Producer, Star, Director



Walter Wanger



Ingrid Bergman



Victor Fleming

"Joan of Arc"

(Continued from page 1)

as it is, recreates them and makes both Maid and miracle believable. Historical facts may be forgotten when Miss Bergman takes over. She brings to the screen a characterization which makes faith real and martyrdom understandable. This reviewer can think of no other living actress who could fill the role as well.

VICTOR FLEMING'S direction is of equal importance.

The story offers endless opportunities to employ common theatrics, any one of which if succumbed to, would have been fatal to the picture. Fleming's discernment, historic fidelity, good taste and disciplined imagination spurned them all.

Whether in the simple scenes of a 15th Century peasant cottage, or in the courts and castles of French royalty; whether in the sweep of medieval battle scenes or the constricted view of a sainted maid put to inquisition, imprisonment and death at the stake, there is an air of reality in the director's handiwork that carries its own conviction. The audience can well say: "This is the way it was."

The sure touch of the director is laid upon every member of an enormous and vital cast. Supporting players throughout the two-hours and 25 minutes of running time are in precise perspective always. Individual roles take on character and emerge as distinct and rounded personalities but the lesser never intrude upon the more significant. Casting in all respects is excellent.

Jose Ferrer's performance as the weak, vacillating, money- and pleasure-loving Dauphin of France and, later, its unreformed king, is a distinguished piece of acting, having many revealing touches to make and keep it human and very understandable.

So, too, is Francis L. Sullivan's depiction of Cauchon, venial and scheming Bishop of Beauvais, persecutor of Joan as a heretic and sorceress, who sits in judgment upon her and succeeds in getting her condemned to the stake.

LESSER roles are filled with polished performances that blend like well-matched jewels. There is J. Carrol Naish as the Duke of Luxembourg, who sells Joan to the English after his soldiers have taken her prisoner; Shepherd Strudwick, as the cleric bailiff who remains at Joan's side during her trial and imprisonment; Cecil Kellaway as the vice-inquisitor and lone friendly judge at Joan's trial; Hurd Hatfield as a monk who travels with Joan's army; Ward Bond as a general of the French army; Gene Lockhart as a court financier; Selena Royle as Joan's mother; Irene Rich, a family friend; Roman Bohnen, uncle of Joan's; John Emery as a French general, loyal to Joan, and George Coulouris, as a royal official.

The screen story of Joan is sustained, unrelenting drama, fundamentally that of a dramatization of the spiritual in contrast to the material and worldly. For many it will be a taxing emotional experience, viewing it. To others it cannot escape being, at the very least, a memorable cinema experience, evoking sympathy and adding to understanding.

It has moments of quiet beauty and lengthy sequences of noisy violence. Battle scenes are vividly portrayed and teem with action seldom equalled on the screen. Technicolor adds its vitality to all, greatly appreciating medieval sets of courts and countryside, battlegrounds, forts and street scenes, as well as costumes, armor plate and the banners and trappings of armies.

"Joan of Arc" can well be a source of pride to the industry and a refutation of the army of its captious critics.

THE screenplay is by Maxwell Anderson and Andrew Solt, with much of the dialogue taken from historical records.

All technical work is of a kind with the distinguished production. Joe Valentine was director of photography; Richard Day, art director; Herschel McCoy and Dorothy Jeakins, costumers; Frank Sullivan, film editor; William Randall, sound engineer, and Eddie Salven, assistant director.

"Joan of Arc" may well be expected to be an outstanding grosser around the world. It is as timeless as the story of Joan itself and can be issued and re-issued endlessly.

Running time, 145 minutes. General audience classification. Release, not set.

SHERWIN KANE



...what's more important than—

"YOU GOTTA STAY HAPPY"

FILE COPY
DO NOT REMOVE

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64. NO. 78 NEW YORK, U.S.A., THURSDAY, OCTOBER 21, 1948 TEN CENTS

Rank Frowns On US Filming In UK: Kelly

'Wants to Do the Quota Production Job Himself'

J. Arthur Rank has taken steps to discourage American production in England, despite the fact that films made there by U. S. interests would help British exhibitors to fulfill the 45 per cent quota requirements, it was reported here yesterday by Arthur W. Kelly, executive vice-president of United Artists.



Arthur W. Kelly

Rank, who controls the large Odeon and Gaumont circuits, and several studios, has served notice on UA, and presumably on others, that he would

(*Continued on page 4*)

Say UA-Hughes Deal For 3 Still Pending

Variety of complications have obstructed finalization of the Howard Hughes-United Artists exchange of three pictures since announcement of the pending transaction was made two months ago, Gradwell Sears, UA president, reportedly told the board at a meeting here yesterday. Consequently, UA has yet to relinquish rights to the three made by Hughes for UA release and which are to revert back to Hughes when the new deal is completed. Under the proposed pact Hughes will guarantee the second money financing for independ-

(*Continued on page 4*)

Walsh Warns Canada On Anti-Labor Laws

VICTORIA, B. C., Oct. 20.—Richard F. Walsh, IATSE president, here as fraternal delegate from the American Federation of Labor to the Canadian Trades and Labor Congress, denounced America's Taft-Hartley Law before the convention and urged the representatives of 400,000 Dominion workers not to let Canada pass "such anti-labor legislation."

Brylawski Head of Washington MPTO

Washington, Oct. 20.—A. Julian Brylawski has been elected president of the Motion Picture Theatre Owners of Metropolitan Washington for the 27th consecutive year. Sidney Lust was named as national Theatre Owners of America director.

Other MPTO officers re-elected include vice-president, Fred S. Kogod; treasurer, Roland Robbins; secretary, Harry Bachman.

Five in Salt Lake File $6-Million Suit

SALT LAKE CITY, Oct. 20.—Five Salt Lake City theatre operators have filed an anti-trust suit in San Francisco's U. S. District Court for an injunction and $6,000,000 damages against distributors and circuits.

Plaintiffs Joseph L. Lawrence, Gertrude B. Lawrence, D. K. Edwards, Harry H. Hall and James W. Latimer alleged that prior to 1941 all theatres in the Salt Lake area were owned or controlled by Paramount. Plaintiffs further charge that Paramount has refused to supply their Uptown and Rialto in Salt Lake and Academy in Provo, Utah, with product since their acquisition of the houses, and that Paramount has put

(*Continued on page 5*)

Report Soviet Pays $50,000 For Each Film

Russia will pay approximately $50,000 per picture for the initial group of 20 features it agreed to buy in negotiations with Eric A. Johnston, president of the Motion Picture Association of America, it is understood. At a meeting held here earlier this week company presidents ratified the deal.

The total of approximately $1,000,000 for the first 20 films will be paid in American dollars to be deposited in a New York bank.

Johnston's deal was acclaimed from both business and diplomatic stand-

(*Continued on page 4*)

Hays To Arbitrate French Pact Issue

Will H. Hays, former president of the Motion Picture Association of America, and an adviser to the organization, has been asked to arbitrate the dispute among the eight major companies on the method of allocating remittable dollars from France under the agreement effected with that country last August.

Hays has been called upon at the suggestion of Eric A. Johnston, MPAA's present head, to devise the formula for splitting the initial payment of $1,572,138 from France.

FP-C Orders Equipment For Theatre Television

NIAGARA FALLS, Ont., Oct. 20.—"The motion picture industry must be a part of television," declared J. J. Fitzgibbons, president of Famous Players-Canadian Corp., before a meeting of the company's partners and associates of the Eastern division in conference at the General Brock Hotel here, as he revealed that Canada's largest circuit and Paramount affiliate had filed an application for a license to operate a television studio in Toronto. "Large-screen television will definitely play a part in Famous Players' plans in the immediate future," he stated.



J. J. Fitzgibbons

Fitzgibbons told the meeting that the company had already placed an order for equipment similar to that used in the Paramount Theatre, New York, and that it would be installed in the Imperial Theatre, Toronto, Canada's largest house, as soon as the company can get clearance.

At present time there are no television stations in Canada but for the past few weeks Famous Players has had television receivers in the lobbies of several of its theatres in Toronto, picking up programs beamed from Buffalo.

Similar meetings of partners and associates will be held in the West at the Royal Alexandra Hotel, Winnipeg, on Nov. 7 and 8; the MacDonald Hotel, Edmonton, on Nov. 11 and 12 and the Hotel Vancouver, Vancouver, on Nov. 16 and 17.

Film Salesmen Set Insurance Benefit Plan

Colosseum Contemplates Benefits Up to $5,000

Colosseum of Motion Picture Salesmen of America has formulated a plan for insuring its 1,100 members, Charles Penser, chairman of the New York City Colosseum lodge, revealed here yesterday. Plans call for assessing each member five dollars on the occasion of a fellow member's death, with the total of about $5,000 to go to the deceased's next of kin.

Penser, who disclosed the plan at a luncheon-meeting of the local lodge, said the kin of the late Frank Salley, RKO Radio Atlanta salesman, who died last Saturday of a heart attack in Chicago while attending the Colosseum convention, will be the first beneficiary under the plan upon its ratification. It is expected to be ratified by the membership, he said, in about two months, and will thereupon be included in the organization's bylaws.

Adapt Polacolor to Feature Films Soon

HOLLYWOOD, Oct. 20.—Polacolor, three-color process developed by Polaroid Corp., will be adapted to feature film work soon. So far only cartoon work has been done by Polacolor.

Processing will be done by Cinema Research Corp. and will cost from 13 cents a foot for first prints to five and three-quarter cents a foot for 100,000 feet.

Polacolor is a dye-coupling processing system.

Company claims it can handle 3,000,000 feet monthly and plans to start with low-budget Westerns.

RKO Sale of Mexican Film Studios Looms

MEXICO CITY, Oct. 20.—Emilio Azcarraga, a leading Mexican exhibitor and radio network owner, has left here for New York, reportedly to discuss with RKO Radio officials the future of the RKO-owned Churubusco studios here. Azcarraga is said to be in the market for the studios, and RKO is reported willing to sell.

RKO Radio foreign department executives in New York were not available for comment yesterday on whether talks with Azcarraga regarding Churubusco are scheduled.

Personal Mention

JOSEPH H. SEIDELMAN, Universal-International foreign sales vice-president, is due back in New York today from Europe on the *SS Queen Elizabeth*.

•

E. T. GOMERSALL, assistant to WILLIAM A. SCULLY, Universal-International distribution vice-president, has left New York for St. Louis, Memphis, New Orleans.

•

U. B. ROSS, Westrex regional manager for Latin America, and E. W. MCCLELLAN, JR., theatre engineering manager, are in Mexico City from New York.

•

SHIRLEY FRANKEL, secretary to Warner vice-president SAMUEL SCHNEIDER, has entered French Hospital here for a major operation.

•

F. J. A. MCCARTHY, Universal-International Southern and Canadian sales manager, has returned to New York from a tour of the South.

•

I. E. LOPERT, Lopert Films president, will return to New York today on the *SS America* from France and Italy.

•

CHARLES SIMONELLI, Universal-International Eastern exploitation manager, left here yesterday for Cincinnati.

•

A. J. O'KEEFE, Universal-International assistant general sales manager, will leave New York today for Milwaukee, Minneapolis and Chicago.

•

WALTER E. BRANSON, RKO Western sales manager, is in Hollywood from New York.

•

MOE KERMAN, Favorite Films president, will leave here tomorrow for the Coast.

•

ROBERT L. LIPPERT, Screen Guild president, was in Boston yesterday from New York.

•

JACQUES KOPFSTEIN, Astor Pictures executive vice-president, has returned to New York from Cleveland.

•

JAY EISENBERG, liaison between M-G-M's sales and legal departments, is in Detroit this week from New York.

•

SAM MARX, M-G-M production executive, has arrived here from Ottawa and the Coast.

•

SIDNEY FRANKLIN, M-G-M producer, has returned to Hollywood from a vacation in Rio de Janeiro.

•

E. Z. WALTERS, Altec comptroller, has returned to the Coast from New York.

•

MAX WEINBERG, M-G-M Eastern shorts representative, has left New York for the Coast.

•

LEON GOLDBERG, RKO studio manager, is in New York from Hollywood.

E-L Slates 18-Week 'Mystery Sales Drive'

Eagle-Lion will hold an 18-week "Mystery Sales Drive," starting Dec. 3, William J. Heineman, distribution vice-president, has announced. Title, "Mystery Drive," he said, stems from the company's decision to keep secret for the time being the identity of the person to be honored during the period.

Milton E. Cohen, Eastern division manager, has been named drive captain. Prizes will be offered and a special force of advertising, publicity and exploitation personnel will cover exchanges and cooperate with sales department members, Heineman said.

Will Ask Divestiture Of 3 in Philon Suit

CHICAGO, Oct. 20.—A motion to divest the Indiana-Illinois Theatre Circuit of its Tivoli, Lido and Uptown theatres in Michigan City, Ind., and also to add them as defendants in the Michigan City equity case will be entered here tomorrow by attorney Seymour Simon in Judge John Barnes' U. S. District Court here. Plaintiff Louis Philon, operator of the Liberty Theatre in Michigan City, alleges that unless complete divestiture of the houses is brought about the alleged conspiracy will not be eradicated.

Approves Crescent Construction Plans

NASHVILLE, Oct. 20.—Judge Elmer D. Davies, of U. S. District Court here, has granted authority to the Crescent Amusement Co. to build and operate six new theatres for which permission was petitioned by Crescent attorneys on Aug. 16. New houses will be built in Cleveland, Greenville, Union City and Columbia, and new drive-ins near Clarksville, Tenn., and Decatur, Ala.

Gregg Elected Head Of Westrex Group

Eugene S. Gregg, vice-president and manager of Westrex, has been elected president of Westrex's 12 American subsidiaries operating in foreign countries, to succeed T. K. Stevenson, who has resigned. At the same time F. R. Lack was elected to the board to fill the vacancy created by Stevenson's resignation.

MOT to Host Press

March of Time will hold a screening of its latest issue, "America's New Air Power," Tuesday afternoon in conjunction with a reception for the press at the *Time* and *Life* Information Center.

Sunday Shows Adopted

FLORENCE, Ala., Oct. 20. — Sunday film shows are slated for this community. The townspeople voted for them 1,445 to 1,228.

The Stratford Reopening

STRATFORD, Conn., Oct. 20.—The reconstructed Stratford will open tomorrow night. Albert M. Pickus owns and operates.

Finkelstein & Ruben Names Linked Again

Minneapolis, Oct. 20.—The names of Finkelstein and Ruben have again been joined in theatre operations here after a lapse of 20 years, with the association of Harold Field (who was Finkelstein) and Eddie Ruben in the Austin, Minn. drive-in project of Clem Jaunich. The original Finkelstein and Ruben combination of the theatre gold rush days of 1915-28 were M. L. (Moe) Finkelstein and I. H. (Ike) Ruben, and their respective sons, Harold and Eddie, have since "gone it alone" in building formidable circuits until teaming up in the Austin venture.

See Court Decision Affecting CSU Suits

LOS ANGELES, Oct. 20.—Seeking speedy court determination of a possible civil rights violation, Andrew Mackay, member of the carpenters local No. 946 of the Conference of Studio Unions, today filed suit in the Federal Court here asking definition of his rights in his dispute with M-G-M. A court decision is seen as setting a precedent for many thousands of CSU members. It also would affect many pending cases.

Mackay, a carpenter with M-G-M from Nov., 1926 to Sept., 1946, claims he did not leave work voluntarily, but was ordered to leave the lot. He charges this is a violation of the union's closed shop contract, an unfair labor practice, and a violation of civil rights.

FWC Operators Seek An Arbitration Order

HOLLYWOOD, Oct. 20. — IATSE Projectionists Local No. 150 today went to court seeking an order compelling Fox West Coast to use American Arbitration Association services in settling the "Amber" dispute. Early this year the projectionists threatened a walkout at 25 FWC houses when the film had simultaneous premieres but second-run scales prevailed over first-run for projectionists.

George Bowser, FWC general manager, has rejected AAA notification of readiness to hear both sides. Bowser claims the dispute is not covered by the circuit contract with the local which provides for arbitration.

Protest Meet Tonight

Louis Untermeyer, poet and chairman of the executive board of the New York Council of Arts, Sciences and Professions, will be chairman of a meeting to be held here this evening at the Hotel Woodstock to protest the refusal of film distributors to negotiate new labor contracts with the Screen Publicists and Screen Office and Professional Employes guilds, it is announced by the Council. The companies rejected the guilds for their failure to comply with the non-Communist affidavit provisions of the Taft-Hartley Law.

To Ask Longer Loop Run for 'Belinda'

CHICAGO, Oct. 20. — Warner's "Johnny Belinda" will be up for discussion on Friday morning in Judge Michael Igoe's U. S. District Court, when attorney Vincent O'Brien will ask for a two-week Loop extension for the film. It will open at the Balaban and Katz State Lake Oct. 28.

In view of Judge Igoe's recent relaxation of the Jackson Park decree in granting extended Loop runs for "Hamlet" and "The Snake Pit," Warner, it is understood, will present similar arguments for the extension. Jackson Park attorney Thomas McConnell is vacationing on the West Coast and attorney Norma Korfist of the same office will oppose the Warner motion.

Feuerlicht Becomes Aide to L. A. Mayor

Maurice Feuerlicht, formerly head of the 16mm. department of Paramount International, here, has been appointed executive assistant to Fletcher Bowron, mayor of Los Angeles. Prior to the war Feuerlicht held legal and administrative positions in the Federal Government in Washington. During the war he was projects director of the motion picture division of the Coordinator of Inter-American Affairs and later held a similar post with the U. S. State Department.

'Shoes' Opens Tonight In Refurbished Bijou

Leading military, naval and air force figures as well as society leaders, industry heads and stage and screen stars have been invited to the premiere of Eagle-Lion's "The Red Shoes," to be held at the Bijou Theatre here tonight.

The Bijou, owned by City Investing Co., has been completely refurbished for the occasion, according to Maurice Maurer, manager of the house. The Soldiers', Sailors' and Airmen's Club will benefit from the opening.

Essaness Operation Is Headed by Smith

CHICAGO, Oct. 20.—Ralph G. Smith has been appointed general manager of Essaness circuit operations and Clarence E. Miller has been named treasurer in charge of real estate, labor and public relations. Harry E. Gerry is secretary in charge of accounting and finance.

Edwin Silverman and Emil Stern, Essaness heads, will continue as advisers.

Annual California ITO Meet on Oct. 26

LOS ANGELES, Oct. 20.—Annual membership meeting of the Independent Theatre Owners of Southern California and Arizona has been set for the Knickerbocker Cafe here on Oct. 26, according to Robert Poole, executive director. Committee reports, the Paramount trust suit, Ascap, television and 16mm. films are on the agenda.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20. N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; Theatre Sales; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c

REPORT FROM THE NEW YORK EVENING POST:

"There are few pictures that receive the spontaneous audience applause that is being received at the Strand by Johnny Belinda"



'BELINDA' BOX-OFFICE BULLETIN NO. 3
Every New Opening Tremendous! See Los Angeles, See Newark, See Worcester, See Pittsburgh! Fourth Week for N. Y.!

WARNER BROS. Present JANE WYMAN · LEW AYRES in 'JOHNNY BELINDA'

with CHARLES BICKFORD AGNES MOOREHEAD STEPHEN McNALLY

Directed by · JEAN NEGULESCO · Produced by JERRY WALD

Screen Play by IRMGARD VON CUBE and ALLEN VINCENT • From the Stage Play by Elmer Harris
Produced by Harry Wagstaff Gribble • Music by MAX STEINER

Italian Production Picking Up: Burstyn

Native production in Italy is picking up, Joseph Burstyn of Mayer-Burstyn, who just returned from a 10-week trip abroad, observed here yesterday. Burstyn said that production costs in Italy have risen as a result of the recent influx of American companies.

He has acquired U. S. distribution rights to the new Robert Rossellini film, "The Miracle."

Soviet To Pay

(*Continued from page* 1)

points at the meeting, which was attended by 51 film executives here. It was said that the best pact ever entered into with the Soviet heretofore was one by which Walt Disney collected $75,000 for a single cartoon feature. Other purchases by that government have involved payments of considerably less than the $50,000 average for the block of 20.

Company heads are expected to convene shortly to compile a list of 100 titles from which the Russians will be given their choice of 20. Films will be listed solely on the basis of their merit for showing in Russia and will be drawn from the inventories of all companies. Johnston's agreement with the Soviet also permits sale of subsequent blocks of 20 pictures each.

See US Films as 'Bait' for Propaganda-fed Russians

WASHINGTON, Oct. 20.—Some top State Department officials today were explaining that Eric Johnston's success in selling films to the Soviet Union may be accounted for by the fact that Soviet cultural censors have rejected so many Russian-made pictures that their theatres are short of product. Furthermore, these same Department sources aver, American films may be used as bait to lure the Russians into theatres in order to get them to sit through Russian propaganda films.

These officials said their explanation was not meant to detract from the success of the Motion Picture Association of America president as a film salesman. Little is now being shown in Soviet theatres except heavy propaganda films, mostly re-issues, they point out, and the Soviet audiences are demanding more entertainment.

Canadian Exports Drop

OTTAWA, Oct. 20. — The Canadian government reports that exports of films from Canada dropped to $179,000 in August, compared with $229,000 last year, although exports in the first eight months of 1948 totaled $2,735,000, against $2,206,000 a year ago in the same period.



MEMBER FEDERAL DEPOSIT INSURANCE CORPORATION

Reviews

"The Paleface"

(*Paramount*)

ARMED with a luxury of gags, Paramount has Bob Hope venturing into an Indian-and-badman satire that hits the top of the laugh-meter. Smartly, they made Jane Russell his leading lady and dressed the settings in the finery of Technicolor. It should be pointed out, at the start, that the footloose plot is held together by the slenderest threads of logic, but its mood of hilarity has the contagion that keeps audiences howling. The shenanigans seem more imaginative, and the mirth more fluid than in most previous Hope pictures. A very hearty box-office effect should be assured.

Probably Hope could have continued to practice dentistry in his own disastrous way were it not for the fact that some white men were smuggling guns and ammunition to hostile Indians. A Federal official hits upon the idea of getting Miss Russell, a fierce-shooting gal properly named Calamity Jane, to ferret out the villains, and to better carry out her mission, she marries Hope. Hero Hope is an unadulterated coward, but a series of accidental occurrences create in him the delusion that he is a cold-blooded killer. And thus, after presumably knocking off a swarm of attacking Indians, he goes out for even more daring game. A series of frolicsome exploits follow until Hope is brought down to reality by some nasty looking Indians who have some uncharitable plans for him and Miss Russell.

The merriment is kept on a broad, earthy level, punctuated by a running drumfire of quips and gags. As authors of the original screenplay Edmund Hartmann and Frank Tashlin should be proud of their offspring. Robert L. Welch produced, Norman Z. McLeod directed.

Running time, 91 minutes. General audience classification. Release date, Dec. 24.

MANDEL HERBSTMAN

"June Bride"

(*Warners Brothers*) *Hollywood, Oct. 20*

THE public is not often given a chance to see the talents of Bette Davis displayed in comedies. If judged by "June Bride," this is too bad, for Miss Davis, paired here with the always dependable Robert Montgomery and supported by an extremely capable cast, is just as apt at rousing laughter as she is at drawing tears. "June Bride" is good, clean comedy, interlaced with occasional touches of sophistication, and with unquestionable appeal to most everyone. It is well written, well acted and, while it may not go down as one of the great comedies of the year, it is good all-around entertainment.

Based on a simple yarn which most of the time stays within the realm of the believable, it answers, undoubtedly to the satisfaction of everyone but the most hardened cynic, the question of what happens when a slick magazine editor, Miss Davis, and her staff, including writer Montgomery, invades the home of an average Midwestern family to do a story on marriage.

The results are sometimes hilarious and mostly romantic as career-woman Davis finds out to her dismay that love's course in a small Indiana town runs no smoother there than in busy New York even though that means upsetting her plans to the extent where her romance with Montgomery is almost wrecked. Montgomery, a famed correspondent reduced to writing for a woman's magazine, regains some of his beliefs in humanity, and the rest of the hardboiled crew softens perceptibly.

Director Bretaigne Windust, appreciative of the witty script provided by Ranald MacDougall, also knows the value of occasional slapstick and situation comedy. The scene where Montgomery gets drunk on iced "cider" is a riot. Audiences young and old will love and remember Betty Lynn, a charming newcomer, who manages to steal scene after scene. Fay Bainter, Jerome Cowan and Tom Tully all contribute materially to the fun. Henry Blanke was producer.

Running time, 97 minutes. General audience classification. Release date, Nov. 13.

FRED HIFT

"Kiss the Blood Off My Hands"

(*Hecht-Norma—Universal-International*)

IN its initial offering, the new Harold Hecht-Norma production unit makes a notable bow. For behind the attention-seizing title of "Kiss the Blood Off My Hands" there rests an absorbing melodrama that appears to be headed for a good box-office showing. Joan Fontaine and Burt Lancaster head the cast of this tale of a series of baleful events that beset a young couple.

Taken from Gerald Butler's popular novel, the film has Lancaster accidentally kill a man in a bar brawl. In a frantic flight from the police, he takes refuge in Miss Fontaine's apartment, and from this unexpected beginning a love eventually develops between the two. Miss Fontaine, a nurse, goes a long way toward rehabilitating Lancaster. She gets him a job and helps him overcome an emotional disturbance that resulted from war-time experience. But a warped and oily character, played with considerable skill by Robert Newton, gets the pair in his clutches. Having witnessed the fatal bar brawl, Newton begins making blackmailing demands upon Lancaster. The situation finally culminates with Miss Fontaine stabbing Newton following an attempted attack upon her.

After laboring over whether to escape to another country the lovers decide that if they are ever to have permanent happiness they must throw themselves upon the mercy of the law. Lancaster and Miss Fontaine are effective in the leads. Under Norman Foster's direction, the camera frames many interesting touches. Richard Vernon produced, from the screenplay by Leonardo Bercovici.

Running time, 79 minutes. Adult audience classification. For October release.

M. H.

Rank Frowns

(*Continued from page* 1)

consider only the most important of such pictures and would adopt a hands-off policy on all others, Kelly disclosed, adding: "Rank has decided to do the British quota production job himself."

Kelly visited England, France, Switzerland, Italy, Belgium, Holland, Denmark and Sweden during the past seven weeks, returning to New York last Monday with forebodings of continuing declines in dollars from abroad. Even the recent agreement with France, which is to free $11,000,000 during the next four years, is imperilled by the floundering economy of that country, he observed.

'Fourth Circuit' in England

The quota in England has resulted in a lower turnover for every U. S. company, Kelly reported. American product is at a peak volume and consequently some exhibitors are endeavoring to reduce rental terms, he said. One effect of the large volume of available U. S. pictures has been the creation of a "fourth circuit" (A. B. C. is the third) which comprises independents who, up to the limits of the Quota Act, are taking American films.

But it is this same abundance of U. S. films which has thwarted plans to obtain extended runs in the provinces where Rank has no stronghold. With all the product available, theatremen in the provinces are refusing to play a picture beyond one week, Kelly explained.

'Knotty Problem' in France

UA is faced with a particularly knotty problem in France, Kelly declared, disclosing that pictures which UA producers are now selling independently in France are being marked against UA's quota of 11 pictures for shipment to that country annually. The French government, he said, within the past few days has charged two pictures sold separately by Sam Bischoff and Charles Rogers against UA's allotment. If this continues, UA would be completely eliminated in France, Kelly concluded. He said that such deals by individual producers should be charged to the independents' separate quota of 11 films.

He said that UA expects to draw about 50 per cent of its profits in Holland in dollars as a result of a straight distribution deal for five years made with that country's Fritz L. D. Strenghold.

UA - Hughes Deal

(*Continued from page* 1)

ent production of three to be made for UA distribution. He in turn would get back his "Vendetta," "The Outlaw" and "Mad Wednesday."

Sears had disclosed that he intended to close the deal during a stay on the Coast last August. The Nasser brothers subsequently came on the scene with a bid to provide their studio and monetary completion bonds for the pictures. Tentative arrangements thereupon were made with independent producers but approval of all concerned has yet to be reached.

Yesterday's board meeting was highlighted by a report by Arthur W. Kelly, executive vice-president, who returned to New York last Monday after an extensive tour of England and the Continent. Kelly closed with French producer Leopold Schlossberg to distribute "A Man Scans His Past," which he will make in Canada.

Reviews

"The Gallant Blade"

(*Columbia*)

ROMANTIC outdoor action runs rampant in "The Gallant Blade," a drama of clashing swords and clashing wills. France of the 17th Century provides the setting for Larry Parks and Marguerite Chapman as the principals, with Cinecolor enhancing the ornamental effects. The picture has many basic ingredients of popular entertainment despite a weakening caused by some stiff and pompous dialogue.

The pattern of the story clearly pits good against evil. France has been at war for many years and the people have become impoverished and exhausted. When peace is finally at hand, a scheming marshal—Victor Jory—plots to continue the conflict for his own evil designs. Parks, as a gallant swordsman, lines up with the forces of peace. In the course of his exploits, he undergoes several narrow escapes. Miss Chapman, at first an undercover aide to the villain, falls under Parks' spell and finally makes some daring sacrifices for Parks and peace. It all makes for pleasant, escapist film fare.

Parks turns in a competent job, but is frequently handicapped by stereotyped material. Miss Chapman is always visually attractive. Irving Starr produced and Henry Levin directed, from the screenplay by Walter Ferris and Morton Grant.

Running time, 145 minutes. General audience classification. Release, not set.

M. H.

"Triple Threat"

(*Columbia*)

PROMOTIONALLY important in this story of the gridiron is the timely presentation of the professional side of the game in these early days of the football season, and the production's introduction of such pigskin "pros" as Sammy Baugh, Paul Christman, Sid Luckman, Charles Trippi, "Indian" Jack Jacobs, and many others, who, however, again prove that most "name" athletes are better in their chosen profession than they are in acting. Of some added benefit in marketing the picture is the fact that it was filmed with the cooperation of the National Football League.

The original screenplay, by Joseph Carole and Don Martin, is a slow-moving plot concerning an egotistical college player who turns "pro." As the tale nears an end, he realizes that his egotism is ruining not only his playing, but the spirit of teamwork, and is having a marked effect on his romance. Heading the cast are Richard Crane, Gloria Henry, Mary Stuart and John Litel.

The story is highlighted by some excellent and exciting gridiron action, described by Harry Wismer, Tommy Harman and Bob Kelley. Jean Yarbrough directed and Sam Katzman produced.

Running time, 70 minutes. General audience classification.

"Eagle With Two Heads"

(*Vog Film*)

JEAN COCTEAU'S "Eagle with Two Heads" is a superior importation filled with eloquent touches and many moments of flaring drama. Made in France this year, it is pervaded with a literary flavor that should give it an eager acceptance among discriminating foreign film patrons.

Cocteau is one of the leaders of France's *avant garde* movement, and as his followers know, his stories usually spurn the standard Hollywood lines of development. In this tale, just published here in book form also, Cocteau tells the story of a young poet-anarchist who comes to slay a queen but remains to fall in love with her. The story unfolds against a background of court intrigue and prior circumstances which leave the lovers strangely fated to doom.

Jean Marais, a husky blond youth, cuts an attractive figure as the poet, while Edwige Feuillere is well cast as the wistful, elusive queen. Impressive settings fill out the fable's tapestry. The English titles do a clear and effective job of conveying the narrative development. Cocteau's direction is somewhat erratic. George Danciger and Alexandre Mnouchkine produced.

Running time, 100 minutes. Adult audience classification. Release date, not set.

M. H.

"Cowboy Cavalier"

(*Monogram*)

THE possessive aim of the outlaw in this latest of Jimmy Wakely Westerns is a freight line, the outlaw in this instance using blackmail and hijacking valuable freight shipments in his attempts to accomplish his purpose. Much action and excitement are accompanied by tuneful songs of the sagebrush, all of which add up favorably in comparison to the production's predecessors in the Wakely series. The hero foils the schemes of the renegades with the aid of "Cannonball" Taylor, cowboy comedian.

Jan Bryant is the daughter of a stagecoach owner and Wakely is their foreman. They hire Douglas Evans to work on the line, and he tips his gang when important shipments are being carried, attempting to hold his job through threats of blackmail. Eventually Wakely uncovers the plan, and the outlaw and his gang are apprehended.

Songs sung by Wakely include "Mine All Mine," "Night After Night" and "This Old White Mule of Mine." Ronald Davidson and J. Benton Cheney wrote the screenplay, which Derwin M. Abrahams directed. Louis Gray produced and Edward Kay was the musical director. Others in the cast include Douglas Evans, Claire Whitney, William H. Ruhl, Steve Clark, Milburn Morante, Bud Osbourne, Carol Henry and Bob Woodward.

Running time, 57 minutes. General audience classification. Release, not set.

Seattle Bans 'Rope'

SEATTLE, Oct. 20.—The censor board today banned the Alfred Hitchcock production of "Rope," Warner film, from further showings here. Bernard Reiter, chairman of the board, said that Hamrick Evergreen Theatres had been notified that further showings would be forbidden following the film's run at the Orpheum, which ended last night.

Isaacs With Ohio Co-op

CLEVELAND, Oct. 20. — Tony Stern and Lou Ratener, head of Ohio Theatres Service Corp., buying and booking for more than 30 theatres, have appointed Arthur Isaacs as second broker and assistant to Marvin Samuelson. Ohio Theatre Service was formed six months ago and is the second booking-buying "co-op" in the city. Isaacs resigned as Republic salesman to join the organization.

Sack Gets Video Rights

DALLAS, Oct. 20. — Sack Television Enterprises has acquired exclusive world television and all non-theatrical rights to the "This Is Texas" series of one-reel topical films produced by Nationwide Pictures, Inc., of Dallas, in a deal closed between H. K. Carrington, president of Nationwide, and Alfred N. Sack. It covers six one-reelers per year for five years.

Video Shipments Rising

WASHINGTON, Oct. 20.—Television receiver shipments rose to 153,455 sets during the second quarter of 1948, compared with 106,136 in the first quarter, the Radio Manufacturers Association reports. Total postwar shipments increased to more than 425,000 sets by June 30.

Production Total Increases 1, to 31

HOLLYWOOD, Oct. 20.—The production index stood at 31, gaining one from last week. Eight new films were launched, while seven were finished.

Shooting started on "Bad Boy," Allied Artists; "Wild Bill Doolin" and "Laramie," Columbia; "Bomba, the Jungle Boy," Monogram; "Bitter Victory," Paramount; "The Set-Up," RKO Radio; "Son of a Gunman" (Western Adventure), Screen Guild; "Calamity Jane and Sam Bass," Universal-International.

Shooting finished on "Ride, Ryder, Ride" (Equity), Eagle-Lion; "Alaska Patrol" (Burwood), Film Classics; "Zamba" (Fortune Films), Independent; "The Feathered Serpent," Monogram; "Son of Billy the Kid" (Western Adventure), Screen Guild; "Two Guys and a Gal" and "Somewhere in the City," Warner.

Salt Lake Suit

(*Continued from page* 1)

pressure on other companies to keep them from supplying films.

In addition, the exhibitors claim that Leonard H. Goldenson, Paramount vice-president, came here from New York in 1941 and attempted to force them to give up their lease.

In addition to Paramount and Goldenson, defendants are Warners, 20th Century-Fox, Columbia and Universal. Intermountain Theatres, Paramount circuit operator in this area, has four first run theatres in downtown Salt Lake in opposition to Lawrence.



SCREEN GUILD PRODUCTIONS announce

48 Smash Box-Office Attractions FOR THEIR 1948-49 PROGRAM

A Showman's Special—Geared for Big Time Box-Office Returns!



"HARPOON"

Actually Filmed in the Arctic Wilds!
With the new sensational star JOHN BROMFIELD
A Danches Bros. Production • Produced and Directed by Ewing Scott



The MOZART STORY

A Patrician Pictures Presentation

The Exciting Life... Loves... and Music of the World's Greatest Composer

LIPPERT PRODUCTIONS present 16 NEW ACTION ADVENTURES!



A BIG ACTION-PACKED OUTDOOR SPECTACLE...
filmed in "easy-on-the-eyes" SEPIATONE . . . against the breath-taking beauty of the Rogue River Valley in Southern Oregon.

"LAST OF THE WILD HORSES" *in SEPIA-TONE*

With a BIG cast including
JAMES ELLISON • JANE FRAZEE • MARY BETH HUGHES • DOUGLAS DUMBRILLE
REED HADLEY • JAMES MILLICAN • OLIN HOWLIN • WILLIAM HAADE
Produced by Carl K. Hittleman • Directed by Robert L. Lippert

An Exploitation natural with the magic Box-Office name of Jesse James!

"I Shot Jesse James"

Based on a story read by millions in American Weekly.
A THRILLING DRAMA OF AMERICA'S MOST COLORFUL OUTLAW!



"THE RETURN OF WILDFIRE *in SEPIA-TONE*	RICHARD ARLEN • PATRICIA MORISON MARY BETH HUGHES • JAMES MILLICAN REED HADLEY • CHRIS-PIN MARTIN
"THUNDER IN THE PINES" *in SEPIA-TONE*	GEORGE REEVES • RALPH BYRD • GREG McCLURE LYLE TALBOT • MICHAEL WHALEN VINCE BARNETT • DENISE DARCEL • MARIAN MARTIN
"GRINGO"	"GRINGO"..., The bandit cry that started a wave of thrills and action across the border!
"GRAND CANYON" SEPIA-TONE	Exciting actian set against the background grandeur, colar and mystic spectacle of one of the Seven Wanders of the World!
"OOMO"	Bosed on the thrilling South Seo story by Hermon Melville, outhor of "Moby Dick"!
"RIMFIRE" *in SEPIA-TONE*	Filmed to the raar af six guns ... a thrill swept story of Western autlawry!
"ROLLING WHEELS"	Hijackers ... murder ... and suspense ride the highways

"JUNGLE GODDESS"	Thrills and Romance! GEORGE REEVES • RALPH BYRD WANDA McKAY . ARMIDA
"SHEP COMES HOME"	ROBERT LOWERY • BILLY KIMBLEY • "FLAME the DOG" MARGA DEAN • MARTIN GARRALAGA SHELDON LEONARD • MICHAEL WHALEN
THE BLACKMAILERS	Revenge ... lust ... and greed lead to violence murder in a fast paced mystery drama.
"SKY LINER"	Mystery ... Murder ... Suspense ... Abave the clouds!
"EMERGENCY WARD"	Men and women in white ... in an Exciting ... Tense ... Romantic Meladrama!
"POLICE WOMAN"	A one-woman police force challenges the underworld in an unusual fast-paced film!!
JAMES OLIVER CURWOOD'S "TRAIL'S END" *in SEPIA-TONE*	Northwest Mounties gun for new outdoor adventure and thrills!

BIG Action for BIG Box-Office!



6 LASH LA RUE FUZZY ST. JOHN Westerns

LASH LA RUE SPECIAL No. 1
"SON OF BILLY THE KID"

LASH LA RUE SPECIAL No. 2
"SON OF A GUNMAN"

"DEADMAN'S GOLD" • "MARK OF THE LASH"
"FRONTIER REVENGE" • "OUTLAW COUNTRY"

Western Adventure Productions • Produced by Ron Ormond • Directed by Ray Taylor

BIGGEST Navy Picture in Years!



An all-out showman's exploitation natural!

SOS SUBMARINE

3 BELL RINGERS AT THE BOX-OFFICE!

James Fenimore Cooper's GREAT AMERICAN CLASSIC.

"THE PRAIRIE"

LENORE AUBERT • ALAN BAXTER

"THERE IS NO ESCAPE"

The true story of Stanley Thurston ... master criminal ... jail breaker!

"POLICE FORCE"

20,000 men in blue ... in a high tension drama pulsing with suspense and intrigue ... told with bullet force!

12 HOPALONG CASSIDYS

RE-RELEASES starring **BILL BOYD**

6 PROVEN PICTURES FOR RE-RELEASE!

SHIRLEY TEMPLE • "MISS ANNIE ROONEY"	JOAN FONTAINE • LOUIS HAYWARD "THE DUKE OF WEST POINT"
BARBARA STANWYCK • ROBERT YOUNG "RUNAWAY DAUGHTER"	ADOLPHE MENJOU • DOLORES COSTELL "KING OF THE TURF"
JIMMY DURANTE • "THAT'S MY BOY"	JOE E. BROWN • "FLIRTING WITH FATE

HOME OFFICE: SCREEN GUILD PRODUCTIONS, INC. 244 SO. LA BREA AVE., HOLLYWOOD 36, CALIF. • FOREIGN DEPT: 723 7th AVE., NEW YORK 19, NEW YORK

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

Vol. 64. NO. 79 NEW YORK, U.S.A., FRIDAY, OCTOBER 22, 1948 TEN CENTS

FILE COPY DO NOT REMOVE

MOTION PICTURE ASSOC. OF AMERICA, 28 WEST 44TH ST., NEW YORK 18, N. Y. (2 COPIES)

RCA Develops New Theatre Video System

Shows High-Speed Unit Developed with Eastman

WASHINGTON, Oct. 21.—Simultaneous transmission of a full-length motion picture to the screens of thousands of theatres throughout the country was predicted here today by David Sarnoff, president and board chairman of RCA, at a public demonstration of a newly developed system of television relay communications.

The new system, called Ultrafax, was described as being capable of transmitting or receiving messages at the rate of a million words a minute. Combining elements of television with the latest techniques in radio-relaying and high-speed photography, Ultrafax was developed by RCA, Eastman Kodak and National Broadcasting. Engineers stated here that the radio-television - photography combination forms the basis for a system of graphic communication which can be extended from city to city across the nation.

18% Drop in Dividends

WASHINGTON, Oct. 21. — Dividends paid by motion picture companies during the first nine months of this year were 18.1 per cent below payments in the same 1947 period, U. S. Commerce Department figures reveal.

Film companies' publicly-reported cash dividends—which Commerce figures to be about 60 per cent of all dividends — totaled $34,290,000 for January through September, 1948, compared with the $41,894,000 re-

(*Continued on page 4*)

22 Theatre Firms Get Tax Rebates

WASHINGTON, Oct. 21. — Twenty-two theatre corporations received excess profits tax relief under Section No. 722 of the Internal Revenue Code during the year ended June 30, 1948, according to figures released today by the Bureau of Internal Revenue.

The credits cover the years from

(*Continued on page 4*)

National Screen Gets Tooker Lithograph

Deal whereby National Screen Service will assume physical and operational control of the Tooker Lithograph Co. plant in New York will be consummated today by Herman Robbins, NSS president, and Paul Cook, vice-president of Tooker.

"Setup will permit NSS to inject a knowledge of an exhibitor's needs into physical preparation of accessories through operation of its own plant," said a National Screen statement.

Tooker has been one of the leading lithographers of motion picture accessories for many years, and has heretofore filled "litho" requirements of M-G-M, United Artists and 20th Century-Fox.

NSS, acquiring all Tooker equipment and its leasehold, has also purchased additional new equipment, to increase capacity. It will assume operation of the plant at once.

$10 Weekly Raise to Sound Servicemen

A weekly pay increase of $10.40 for motion picture sound servicemen throughout the country has been obtained from Altec and RCA, it was announced here yesterday by Richard F. Walsh, IATSE international president.

In addition, the soundmen will receive increased automobile allowances ranging from 16 to 88 per cent. In principle, these allowances follow the Runzheimer Plan, recommended by the American Automobile Association, providing for a weekly sum of $7.80, to which is added three and one-half cents per mile. The companies guarantee that on an annual basis, the allowances will equal at least seven cents per mile.

The salary and auto increases are provided under the terms of new, two-

(*Continued on page 4*)

Both Sides Firm in N. Y. Ascap Action

In answers to briefs to be exchanged today, both sides in the action brought by a group of New York exhibitors against Ascap will hold fast to their respective positions on the scope of a judgment to be entered in the case. Plaintiffs are expected to insist that the New York Federal Court is empowered to order divestiture of Ascap's and its members' public performance music rights, setting forth that such an extensive order is necessary to protect the plaintiffs.

'We Mean Business,' Steve Broidy Asserts

Hollywood, Oct. 21.—"Our schedule of 61 pictures for the coming season should convince exhibitors we mean business," Steve Broidy, president of Allied Artists-Monogram, declared here today in announcing new sales department top personnel.

He said the acquisition of three new executives is further "proof that we mean business."

Top Brazil Rental, 42%

The Brazilian Central Price Control Committee has amended its regulations to provide that the average film rental shall not exceed 42 per cent of net box-office receipts of the year, according to a cablegram received here from Gerald M. Mayer, managing director of the international division of the Motion Picture Association of America.

Meyer flew to Brazil on Oct. 1 to confer with officials of the Brazilian government on the lifting of some of the regulations which Motion Picture Export Association directors felt were unfair to the American motion picture industry.

Under the new text of article 13 of order No. 58—original terms of which were considered prohibitively restrictive—the Price Control Commission now provides that the sum of all percentage and flat rentals paid during one year by an exhibitor to each distributor for features exhibited in theatres subject to ceilings on admission prices shall not exceed, on an average, 42 per cent of net box-office receipts of the year.

Mayer left Rio de Janeiro by plane last night for New York.

Colosseum Pacts to 11 For Signatures

C. J. (Pat) Scollard, Paramount labor relations director and chairman of the 11 distributors' committee which negotiated union contracts with the Colosseum of Motion Picture Salesmen of America, yesterday sent to the companies for signing copies of the pacts which already have been signed by executives of the union.

It is expected that all of the companies will sign the contracts and return them to Colosseum attorney David Beznor in Milwaukee.

New AA-Mono. Sales Cabinet Set by Broidy

Goldhammer, Pritchard, Gillis Get New Posts

HOLLYWOOD, Oct. 21.—Realign- of the Monogram and Allied Artists sales departments and the appointment of three new sales executives to newly-created posts were announced here today by Steve Broidy, president.

New setup calls for the expenditure of more than $100,000 for additional sales operations, it was said.

Three named to function under M. R. Goldstein, sales manager, include L. E. Goldhammer, as Western sales manager, supervising Chicago, Milwaukee, Minneapolis and Indianapolis. Goldhammer also will have supervision over the Denver, Kansas City, Salt Lake City, Omaha, Des Moines and St. Louis exchanges handled by Sol Francis.

Jim Pritchard has been named Southern district manager, heading Dallas and Oklahoma City. He will

(*Continued on page 4*)

U.K. Renters Will Produce

Non-producing British distributors will enter production almost *en masse* under the dual circumstance of the 45 per cent British films quota law and British Board of Trade president Harold Wilson's new Government Film Bank, it is believed by Alfred E. Andrews, head of Monarch Film Corp., Ltd., who will return to London from New York today by plane following two weeks in the U. S.

Andrews indicated that Monarch in this connection will be one of the first non-producing distributors to take up

(*Continued on page 4*)

UK Exhibitor Rental Formula Due Shortly

LONDON, Oct. 21.—An acceptable formula is expected to be devised within a few days by the Kinematograph Renters Society committee and J. Arthur Rank on rental terms for exhibitors, it was indicated here today following a five-hour dinner discussion among KRS members and Rank.

Personal Mention

SIR ALEXANDER KORDA left London by plane last night for a 48-hour visit in New York to discuss his American releases.

•

MURRAY SILVERSTONE, 20th Century-Fox International president; ARTHUR ABELES, Warner British managing director, and ELIZABETH TAYLOR, film star, are among passengers sailing for Europe tonight on the *SS Queen Elizabeth.*

•

JACK L. WARNER, who entered Cedars of Lebanon hospital several days ago for a routine checkup, underwent surgery yesterday for gallstones. He is expected to be discharged in a week to 10 days.

•

LEON BAMBERGER, RKO Radio sales promotion manager, will leave here on Tuesday to attend the convention of the Kentucky Association of Theatre Owners in Louisville on Wednesday and Thursday.

•

MARCELLO GIROSI, Superfilm president, and ANTONIO MOSCO, president of Minerva Studios in Rome, are due here Monday from Italy on the *SS Mauretania.*

•

STEVE STRASSBERG, Republic publicist, and MRS. STRASSBERG have become parents of a son, RICHARD ERIC, born at Jewish Memorial Hospital here.

•

W. C. GEHRING, 20th-Fox assistant general sales manager, and HAROLD MINSKY, Eastern division sales manager, will return here today from Boston.

•

CHARLES SCHLAIFER, 20th-Fox advertising-publicity director, is due back in New York today from Omaha.

•

GEORGE D. BURROWS, Allied Artists-Monogram executive vice-president and treasurer, will leave the Coast today for New York.

•

SID BLUMENSTOCK, 20th-Fox assistant exploitation manager, left here yesterday for Chicago.

Writers' Unit Loses Tax-Free Status

WASHINGTON, Oct. 21.—The Bureau of Internal Revenue has ended the tax-free status of the Hollywood Writers Mobilization and some other groups listed as "subversive" on recent Justice Department lists. Not only will income of these organizations no longer be tax-free, but contributions to them may no longer be deducted as gifts on tax returns of contributors.

Phila. MPA Meet Set

PHILADELPHIA, Oct. 21.—Election of officers will be held Monday evening when the Philadelphia Motion Picture Associates holds its annual meeting at the Broadwood Hotel.

Insider's Outlook

By RED KANN

THESE are the steps by which Will H. Hays emerges from inactive to active status as adviser of the Motion Picture Association in the impasse over allocation of $11,912,000 remittable from France under the recently implemented U. S.-French film pact:

Methods of cutting up the money were several, but the standoff became neatly Mexican with four companies in favor and four others against any of the plans broached. Company presidents were unable to breach the deadlock and neither could their foreign managers. It was agreed to submit the matter to arbitration in keeping with a decision of the presidents, made on August 17, to resolve any dispute amicably.

■

The issue involving the eight majors arises out of an agreement, which the MPA officially describes as "alleged" by the way, to use gross billings in France during the period ending June 30, 1947, as the basis for a division of dollar remittances in the face of insistence by the French government that payments be made to the companies in proportion to cash on hand as of that date. MPA further explains the matter remained dormant as a result of failure of the French to send dollar remittances under the Blum-Byrnes accord which the recently-effected agreement supersedes.

Since the initial payment of $1,572,138 is at hand, the necessity for a scheme of allocating it is imperative.

It is understood Hays' name entered the situation at a meeting of the Motion Picture Export Association, which finally determined he was the man. This decision thereafter went up the line to the company presidents, who ratified it.

Each company is expected to file a brief outlining its solution. While Hays will make the decision that binds, there is not much anticipation that everyone will be pleased.

Question: Where is Eric Johnston in all this?

Answer: On the deliberate sideline, removed from the middle where he did not want to be.

■ ■

An English appraisal of Johnston's travels abroad, from The London *Financial Times*:

"The recent journey of Hollywood's agent behind the Iron Curtain suggests that Mr. Johnston is now qualifying for the post of secretary to the United Nations in succession to Mr. Trygve Lie. When Mr. Johnston recently left the company of our bouncing Mr. Wilson, he paid his next call on the grim Mr. Molotov, whom he has persuaded to buy Hollywood's wares. No man could have a greater gift for gregarious acquaintanceship than Mr. Johnston. No sooner had he left the awesome portals of Marshal Stalin's headquarters than he set off to pay his respects to that 'Fascist hyena', Marshal Tito, who has also agreed to buy Hollywood's pictures. Now he has found an 'intelligent' friend in General Franco.

"There was a time when Hollywood was not bowing to the totalitarians. A year or two ago the movie moguls were paying their respects to Mr. J. Arthur Rank and making him many lush promises. Mr. Rank now confesses his disillusion, and I honor him for doing so."

■

But Rank need not lose complete heart nor suffer complete disillusion. His "Henry V," now in its third year, today shows a net profit of $1,650,000 divisible on a 30-70 basis with United Artists. To Rank: $1,155,000. To UA: $495,000.

Last week's *Life* Magazine devoted nine pages to Laurence Olivier with a concentration in text and photo on "Hamlet." Rank's American office, aware of rate schedules, calculates the cost of the cover and 21 pages which *Life* has given "Hamlet" thus far would have cost more than $350,000 in the form of paid advertising.

In Atlanta, advance sale is $10,000, and in New York over $40,000. Moreover, New York's critics united in launching "Hamlet" with reviews ecstatic enough to make any producer, British or American, swoon in his tracks.

We have no misconceptions about the inherent fairness of the American critic or of the American public. The measure by which they evaluate quality and appeal responds to that which is offered them.

In that sense, J. Arthur Rank could be Joe Schmoe for all the difference a name would make.

■ ■

"Industry in Turkey Is in a Bad Way," reads a MOTION PICTURE DAILY headline.

"Too many turkeys in Turkey?" ponders a cunning film man who knows they could have been raised in Southern California.

Premiere for AVC

The motion picture chapter of the American Veterans' Committee will sponsor a special premiere here of Paramount's "Sealed Verdict" on Monday, Nov. 1, at the Paramount Theatre. Regular run of the film begins at the theatre on Nov. 2. Taking over the entire theatre for the showing, the group will also present a special stage show. The chapter has arranged for attendance at the premiere of hospitalized veterans from neighboring Army, Navy and [illegible] hospitals.

Youngstein To Speak

Max E. Youngstein, Eagle-Lion vice-president in charge of advertising-publicity, will deliver an opening day address at the Tri-State Motion Picture Theatre Owners convention in Memphis on Monday, on the exhibitor's part in improving public relations.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
ROCKEFELLER CENTER
Greer Garson, Walter Pidgeon
in "JULIA MISBEHAVES"
Peter Elizabeth Cesar
LAWFORD - TAYLOR - ROMERO
A Metro-Goldwyn-Mayer Picture
SPECTACULAR STAGE PRESENTATION

EDWARD G. ROBINSON
GAIL RUSSELL
JOHN LUND in
"Night has a thousand Eyes"
A Paramount Picture
in Person TONY PASTOR And His Orchestra
Plus ROCHELLE & BEEBE
NIP NELSON
Extra Added Attraction VIC DAMONE
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

HOWARD HAWKS'
RED RIVER
CAPITOL B'way & 51st St
— In Person —
TONY & SALLY DeMARCO
BUCK & BUBBLES
NAT BRANDWYNNE and his Orch.
ROSE MARIE

FIRST TIME AT POPULAR PRICES!
RKO PRESENTS
"MOURNING BECOMES ELECTRA"
Brandt's MAYFAIR 7thAve.& 47th St.

JEANNE CRAIN WILLIAM HOLDEN
Edmund Gwenn
'APARTMENT FOR PEGGY'
Twentieth Century-Fox Picture
Color by Technicolor
ON VARIETY STAGE — KAY THOMPSON
AND WILLIAMS BROS. — ROLLY ROLLS
ON ICE STAGE — RHYTHM IN PLAID
ROXY 7th Ave. & 50th St.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Puhlishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cahle address: "Quigpubco, New York." Martin Quigley, President; Red Kann. Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urhen Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cahle address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; Theatre Sales; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in tbe Americas and $12 foreign; single copies, 10c.

VARIETY in Philly

'River' Paces Philly Wham!

"Red River" biggest thing in town. Wow at the Stanley!

VARIETY in Frisco

'River' Near Record In Frisco, Huge!

Business off 20%. Despite this, 'Red River' nearly equaled record!

FROM EAST TO WEST "RED RIVER" IS BEST!

VARIETY in Los Angeles

L. A. 'Red River' Smash!

"Red River" for first-run coin here this frame!

VARIETY in New York

N.Y. 'Red River' Solidly In Black!

Socko is the Capitol with "Red River"!

Why say more about...

HOWARD HAWKS' GREAT PRODUCTION

"RED RIVER"

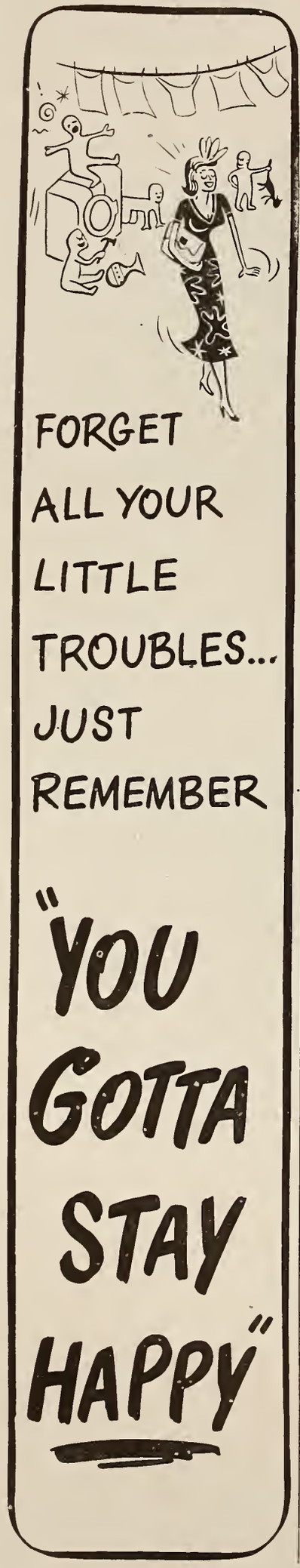
Monterey Productions presents

HOWARD HAWKS' **"RED RIVER"** starring JOHN WAYNE · MONTGOMERY CLIFT · WALTER BRENNAN · JOANNE DRU

With HARRY CAREY, Sr. · COLEEN GRAY · JOHN IRELAND · NOAH BEERY, Jr. · HARRY CAREY, Jr · PAUL FIX · From the Saturday Evening Post story, "The Chisholm Trail", by Borden Chase

Screenplay by Borden Chase and Charles Schnee · Executive Producer, CHARLES K. FELDMAN · DIRECTED AND PRODUCED BY HOWARD HAWKS

RED HOT THRU UA



Review

"The Return of October"

(*Columbia*)

A NOVEL tale about a girl who believes her deceased uncle has returned in the form of a racehorse has been garnished with Technicolor and given a good cast headed by Glenn Ford, Terry Moore and James Gleason. With some romantic complications filling out the yarn, it shapes up as an engaging picture that rises occasionally to moments of thoroughbred entertainment. The theme is one that could lend itself to fresh merchandising ideas.

The screenplay, devised by Melvin Frank and Norman Panama, has pretty little Miss Moore convinced that a horse, October, is the reincarnation of her uncle. Meanwhile Ford, a psychology professor, conceives the idea of doing a scientific paper on the girl's delusion. And so under the guise of being in love with her, he manages to acquire first-hand data. Miss Moore's obsession is innocent enough, but when she becomes heir to her aunt's fortune, a flock of scheming relatives decide to prove her crazy. In the courtroom scene that follows, the professor's paper is introduced with damaging effect. Finally, however, Ford realizes he is in love with the girl. A few obstacles remain to be overcome, including his defense of her at the trial, before the happy ending is reached. Gleason portrays the uncle; Dame May Whitty, the aunt, and Albert Sharpe, a track tout. Direction by Joseph H. Lewis keeps things moving at a happy pace. Rudolph Mate produced, from a story by Connie Lee and Karen DeWolf.

Running time, 89 minutes. General audience classification. Release date, not set.

MANDEL HERBSTMAN

U. K. Renters

(*Continued from page* 1)

production activities. The company, he said, expects to follow soon the example of Sir Alexander Korda's British-Lion Films, which already has put in its bid for a large loan by the Film Bank, and Monarch will use funds so acquired to establish what may be known as Monarch Productions.

If Britain's theatres are to fulfill the requirements of the 45 per cent quota law they will have to be provided with a greater supply of British films, Andrews reasoned, adding that J. Arthur Rank and other British producers cannot be depended upon to meet quota demands. Hence, he said, non-producing distributors must "pitch in," and have an opportunity to do so now that financing is being made available by the government.

Purpose of Andrews' trip to the U. S. was twofold: he attended his daughter's wedding in Denver on Oct. 15, and conferred with U. S. distributors since then to contract for American product, which Monarch distributes in Britain. Next year, Monarch will distribute the same number of U. S. films it handled this year, 30, Andrews said.

Mrs. Marchand Heads U.A. in Switzerland

Mrs. Pia Marchand has succeeded Paul Rappaport as United Artists general sales manager in Switzerland, Rappaport having resigned recently to represent David O. Selznick in that country, according to Arthur W. Kelly, UA executive vice-president and foreign operations chief. Mrs. Marchand has been employed by UA there since 1934. Georges Neuffer has been promoted to assistant to the sales manager of the Swiss office.

20th-Fox Counter-Sues

A breach-of-contract suit for $100,000 damages and a counter action of similar damages have been filed in New York State Supreme Court here by American-European Films Industries and 20th Century-Fox International. The former has charged that the latter and Simplex Co. conspired to break a seven-picture pact between American-European and 20th-Fox for distribution in Italy. Twentieth-Fox's counter-claim alleges. American-European has meanwhile discredited the U. S. company in Italy.

22 Get Tax Rebates

(*Continued from page* 1)

1941 through 1946. Most large producers, distributors and exhibitors qualified for relief in earlier years, and therefore their names were on previous lists.

Section 722 provides for recomputing on the basis of a new credit excess profits tax for firms which previously had an inadequate excess profits credit.

Here are the companies on today's list, the net reduction in their tax liability (gross reduction in excess profits tax less gross increase in income tax resulting from application of Section 722), and the number of years covered:

Phoenix Drive-in, Phoenix, $8,374, four years; Malco Theatres, Little Rock, $20,172, two years; Sherman Oaks Theatre Corp., Los Angeles, $5,700, two years; Sunbeam Theatre Corp., Los Angeles, $1,820, two years; Glen Theatre, Glenwood Springs, Colo., $600, two years; Ridge Theatres, Lakeland, $1,006, two years; Columbia Amusement Co., Paducah, $4,940, two years; Alamo Theatre Corp., Washington, D. C., $7,893, six years; Fairlawn Amusement Co., Washington, $8,264, four years; Lenox Theatres Corp., Baltimore, $4,527, three years; Scheck Theatre Enterprises, Baltimore, $1,835, one year; Esquire Theatre Co., Richmond, Mo., $2,377, one year.

Also: Commonwealth Lawrence Theatre Corp., Kansas City, $4,845, three years; Commonwealth Searcy Theatre Corp., Kansas City, $1,326, three years; H. & H., Inc., Trenton, $29,427, two years; E Street Theatre Corp., New York City, $5,092, one year; Saunders Realty Corp., New York City, $5,019, one year; Riviera Theatre, Buffalo, $1,083, one year; Chakeres Theatres, Springfield, O., $18,458, four years; Arkansas Amusement Corp., Dallas, $4,894, two years; Flass Theatres Corp., Dallas, $2,535, two years; Morten Theatres, Dallas, $244, two years; Peninsular Theatres, Charlottesville, Va., $1,990, three years.

$10 Weekly Raise

(*Continued from page* 1)

year contracts, retroactive to Aug. 22. These pacts contain union-shop clauses and recognize the "IA" as exclusive bargaining agent for all sound men in the film and theatrical fields, including television.

Signing of the contracts here yesterday followed negotiations started last June and suspended during the period of the "IA" convention at Cleveland in August. The union was represented by general secretary-treasurer William P. Raoul, assistant international president Thomas J. Shea and international representative Joseph D. Basson. Altec was represented by G. L. Carrington, and RCA by E. C. Cahill.

Elissa Landi, 43, Dies A Victim of Cancer

KINGSTON, N. Y., Oct. 21.—Elis Landi, 43, who starred in such pi tures as "The Sign of the Cross" a "Warrior's Husband," died today Kingston Hospital after a lingerin cancer affliction. She retired from m tion pictures several years ago to pu sue a career as a novelist. Reputed be the granddaughter of Empre Elizabeth of Austria, Miss Landi w born in Venice.

Miss Landis is survived, bes widower, by a daughter, Carolir Maude Landi Thomas, 4; her fathe Count Charles Zanardi-Landi Kingston, and a brother, Anthony, Hollywood.

Brylawski To Lea Pageant for U.N. Da

WASHINGTON, Oct. 21.—The M tion Picture Theatre Owners of Me ropolitan Washington is spearheadin local observance of United Natio Day, on Sunday, with a pageant Constitutional Hall.

The pageant, under the direction A. Julian Brylawski, will feature Ma rine Corps, Army, and Air Forc bands and the Central High Scho choir, and will have entertainment b radio and stage personalities. Se Barkley and British Ambassado Franks will address the gathering.

Mono. Sales Cabine

(*Continued from page* 1)

also collaborate with Arthur C Bromberg, supervising Atlanta, Mem phis, New Orleans and Charlotte.

Maxwell Gillis has been appointe Eastern district head, to supervis New York, Albany, Buffalo, Wash ington and Philadelphia. Mel Hull ing will continue supervision of th companies' West Coast offices at Lo Angeles, San Francisco, Portland and Seattle. Harold Mirisch, AA vice president, will continue at the studi as Broidy's liaison with the sales department.

Drop in Dividends

(*Continued from page* 1)

ported in the first nine months of record-making 1947.

The September, 1948, figure, also announced today, was $7,478,000, compared with $8,599,000 last September. A lower 20th-Fox dividend and Columbia's skipping its usual September dividend accounted for the drop, Commerce officials said.

Payments reported for the third quarter totaled $11,038,000 this year, compared with $15,497,000 for the same quarter last year.

'306' To Celebrate Sunday

IATSE Motion Picture Projectionists Local No. 306 will celebrate its 35th anniversary with a dinner-dance at the Hotel Astor here Sunday evening, it was announced yesterday by Herman Gelber, "306" president. "IA" international president Richard F. Walsh will be a speaker.

'U' Preferred Dividend

Board of directors of Universal Pictures yesterday declared a dividend of $1.06¼ per share on the 4¼ per cent cumulative preferred stock, payable on Dec. 1, to stockholders of record on Nov. 15.

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

Vol. 64. NO. 80 NEW YORK, U.S.A., MONDAY, OCTOBER 25, 1948 TEN CENTS

FILE COPY DO NOT REMOVE

MR. ERIC JOHNSTON,
MOTION PICTURE ASSOC. OF AMERICA,
28 WEST 44TH ST., 21ST F
NEW YORK, N. Y.

Ascap Extends Proposed Rule To Its Members

Offers to Enjoin Them, Too, in N. Y. Action

American Society of Composers, Authors and Publishers has conceded that the New York Federal court injunction against it should be extended to enjoin its members "as individuals" from asserting public performance rights of their music in motion pictures against the New York exhibitor plaintiffs in the anti-trust action here.

Following Judge Vincent Leibell's conclusion in the case, which now await conversion to an actual decree, Ascap had maintained that its members should be ordered to refrain from collecting from the plaintiffs only when the members were "acting in concert." To this the plaintiffs, all of them members of the Independent Theatre Owners Association, answered that if such an order prevailed, the theatremen would be subjected to

(*Continued on page 4*)

BFPA to Examine Rank's Film Terms

LONDON, Oct. 24.—An emergency meeting of the British Film Producers Association has been called for tomorrow following protests by a number of British distributors against the proposed booking terms developed by J. Arthur Rank with the Cinematograph Exhibitors Association.

The BFPA meeting proposes to review the whole situation. However, it is understood that Rank, appreciating the necessity of his appeasing his exhibitor customers, is determined to maintain his right to negotiate book-

(*Continued on page 4*)

N Y Group Will Not Tie to Conciliation

Although exhibitor organizations in increasing numbers are setting up conciliation machinery, one such organization which is unlikely to find it necessary to adopt any official plan for ironing out certain exhibitor-distributor differences is the Metropolitan Motion Picture Theatre Owners Association of New York.

This was disclosed by an MMP-

(*Continued on page 4*)

Sponable Will Be SMPE President

WASHINGTON, Oct. 24.—Earl I. Sponable, technical director of 20th Century-Fox, will be the next president of the Society of Motion Picture Engineers. SMPE's 64th semi-annual convention will open at the Hotel Statler here tomorrow.

Sponable, sound-on-film pioneer, will take office at the beginning of January for a two-year term, succeeding Loren Ryder. He was unopposed for the post.

The convention, which will run through Friday, will reach its climax Wednesday night with a dinner at which Sponable and other new officers will be announced and SMPE awards presented. Crowded business and social programs are scheduled for all five days.

Eric Johnston, president of Motion Picture Association of America, will provide the first high-spot of the convention with an address at a luncheon

(*Continued on page 2*)

French Set Rules For Co-production

By EUGEN MEBER

PARIS, Oct. 20 (By Airmail).—Regulations for the use by American distributors of their blocked monies in France, under the agreement signed Sept. 16, have been divulged, the balances remaining in franc accounts to be used for co-production in France.

Main points regulating their use provide that American interests must not exceed 50 per cent of the total investment; the French associate must be an established society; only technicians normally working in France may be employed; all responsibilities and rights connected with the produc-

(*Continued on page 4*)

NLRB Rejects SPU, Extras Guild Says

Hollywood, Oct. 24.—The National Labor Relations Board in Washington has turned down the appeal of Michael D. Jeffers' claim that his Screen Players Union represented a majority of Hollywood's extra players, the Screen Extras Guild (AFL) reports. Jeffers' original petition for a hearing and an election was rejected by the Los Angeles NLRB, because, it is understood, the SPU was unable to produce sufficient signatures.

Tri-States Meeting In Memphis Today

MEMPHIS, Oct. 24.—Hundreds of theatre owners from all sections of the mid-South are arriving here for the opening tomorrow at the Hotel Chisca of the two-day annual session of the Tri-States Theatre Owners.

Speakers will include: Guthrie Crowe, president of the Kentucky Theatre Owners Association; Arthur Lockwood, president of the TOA; Dave Palfreyman of the MPAA, Washington; Lloyd T. Binford, Memphis censor board chairman; Herman Levy, general counsel of the TOA; Henry Reeve, president of the Texas Theatre Owners; Herman Hunt, Cincinnati circuit operator; Mrs. L. S. Akers, president of the Better Films Council, Memphis; Gael Sullivan, TOA director; Ted Gamble, chairman of the TOA board; Andy Smith, Jr., 20th Century-Fox; Robert Mochrie, RKO Radio; H. M. Richey, M-G-M, and Sam Shain, 20th Century-Fox.

36 Weeks Yearly for US Films in Netherlands

WASHINGTON, Oct. 24.—It is now expected that U. S. films will be shown in the Netherlands between 36 and 38 weeks each year, compared with the present 32 weeks and the hoped-for 40 weeks, U. S. Commerce Department film chief Nathan D. Golden reports.

In August Golden reported that the Netherlands government had requested the domestic film industry—the Bioscoop Bond—to agree to show U. S. films 40 weeks a year. The Bond agreed to show U. S. films 18 of the first 26 weeks after Aug. 26, and 20 weeks of the next 26—a total of 38. But then, with the opening of a Netherlands studio to produce features, the Bond insisted on some allowances for the showing of the domestic films, with the time coming off proportionally both from the U. S. quota and the quota for films from other countries.

"The result of this will be that U.S. films will have less than 38 weeks playing time, with the extent of the reduction depending on how many Netherlands features are produced," Golden reported.

U.S. Rejected Latest Decree Plan of Four

RKO Parleys, However, Move Nearer Agreement

Consent decree discussions of Loew's, Paramount, 20th Century-Fox and Warner with the Department of Justice have reached an impasse following the rejection by the Department last week of new decree proposals by the four, it was learned on Friday.

Concurrently, it was learned that the Justice Department and RKO, in separate decree negotiations, moved closer to an agreement. RKO is prepared to divest itself of all but showcase houses and only a few details of the means by which this is to be accomplished remain to be agreed upon. There are indications that a settlement could be reached in the very near future.

Proposals of the other four companies, liberalized since earlier and equally fruitless discussions, were pre-

(*Continued on page 4*)

Cohen Hits Century, RKO in Trust Suit

Century Circuit, RKO and Rugoff and Becker circuits here are charged with conspiracy in a $1,200,000 action filed in U. S. District Court in New York on Friday by Cinema Circuit, headed by Max A. Cohen.

Cohen alleges that Rugoff and Becker, in behalf of their Granada Theatre in Brooklyn, demanded to bid for runs over his Albermarle house in the same neighborhood, and acquired prior runs through bids which the circuit could not afford.

Cohen further states that R. and G.

(*Continued on page 4*)

Court to Tighten Extended Loop Runs

CHICAGO, Oct. 24.—Warners' "Johnny Belinda" was granted a four-week Loop run at the Balaban and Katz State Lake Theatre by Judge Michael J. Igoe in U. S. District Court on Friday. Under the court's decree in the Jackson Park case Loop runs ordinarily are limited to two weeks.

In his decision, Judge Igoe expressed the probability of each defen-

(*Continued on page 2*)

Personal Mention

BARNEY BALABAN, president of Paramount; EDWIN WEISL, board member, and RUSSELL HOLMAN, production executive, left New York over the weekend for Coast conferences.

•

JOSEPH H. SEIDELMAN, Universal-International foreign sales head, who was due here at the weekend from London on the *SS Queen Elizabeth,* has delayed his return for three weeks.

•

HERMAN M. LEVY, Theatre Owners of America general counsel, has been reelected secretary of the New Haven County Bar Association.

•

LEONARD LAUER, formerly of the Hollywood Theatre here, has been appointed house manager of the Astor Theatre.

•

SAM ROSEN, Fabian Circuit executive, was feted at Toots Shor's here on Friday on his 50th birthday, by fellow officers of the company.

•

WILLIAM A. SCULLY, Universal-International distribution vice-president, returned to New York over the weekend from the Coast.

•

A. ARTHUR PRICE, film publicist, has become a grandfather, a daughter having been born to CAPT. and MRS. NAT LIPSHITZ, his daughter.

•

SAM MARX, M-G-M production executive, is due back in New York today from Boston.

•

SPYROS P. SKOURAS, 20th Century-Fox president, will arrive in New York today from Hollywood.

•

JAMES R. GRAINGER, Republic distribution vice-president, left here last night for St. Louis and New Orleans.

•

JAY EISENBERG, M-G-M home office attorney, is due back here today from Detroit.

•

BOB GOODFRIED, Eagle-Lion West Coast exploitation representative, is here from Hollywood.

•

BEN HILL, United Artists special Southeast representative, has returned to Atlanta from Texas.

Eastman Named SRO N. E. Representative

Clayton Eastman, formerly New England district manager for United Artists and Albany, N. Y., branch manager for Paramount, has been named special Selznick Releasing Organization sales representative in New England with headquarters in Boston by Milton Kusell, SRO distribution vice-president.

Named to Loew Post

Sylvia Scharfman, Loew Theatres assistant manager, has been appointed acting manager of Loew's Post Road, Bronx. Her most recent assignment was as assistant at Loew's Paradise.

Review

"The Red Shoes"

(J. Arthur Rank—Archers—Eagle-Lion)

THE indefatigable producer-director-writer team of Michael Powell and Emeric Pressburger have created a motion picture of largely dream-like quality, a production both artistic and "arty," one which stands as a tribute to that art form known as ballet. It should be accepted by devotees of the ballet as a rare treat.

Served up in beautifully keyed Technicolor, which does full justice to the mood and milieu of the several interpretive dancing scenes and sequences, "The Red Shoes" chronicles the story of a beautiful young ballerina torn between love for a composer-conductor and devotion to her art. A great ballet impresario, her mentor, forces her to choose, and her indecision leads her to a tragic, violent death. The pattern of the dancer's life and love, it turns out, was cut from that which was established by the "Red Shoes" ballet, the film's *piece de resistance,* a choreographic pantomime of Hans Christian Andersen's fairy tale of the same title. In the ballet, as in the tale, the bewitched red dancing shoes acquired by a happy, carefree girl, cause her to dance herself to death. Powell and Pressburger have proven a point with this film: the motion picture in all its flexibility is indeed the superior medium for presentation of ballet. Grace, beauty, color are blended here with consummate intelligence and taste.

It should be obvious from the foregoing that this is a picture mostly for select audiences. Eagle-Lion has proceeded wisely in its first marketing of this one here. "The Red Shoes" has opened in New York at the Bijou Theatre on a "four-wall" deal and will be exhibited on the same basis elsewhere in the U. S. Admission prices are advanced.

In the role of the ballerina, Moira Shearer is loveliness and grace personified. She acts for the most part with charm and conviction. Anton Walbrook and Marius Goring are very effective in the roles of the impresario and composer, respectively, and Leonide Massine shines as the maitre-de-ballet. Overacting is evidenced at times, but it appears to be in keeping with the character of the ballet and hence could be termed acceptable. Rounding out the large cast are Robert Helpmann, Albert Basserman, Ludmilla Tcherina, Esmond Knight, Jean Short, Gordon Littman and others. Powell and Pressburger, in writing the screenplay, used an original by the latter as a blueprint. Keith Winter contributed additional dialogue. The Royal Philharmonic Orchestra, under the baton of Sir Thomas Beecham, provides the music—and the music is grand!

Running time, overlength in 133 minutes. General audience classification. For October release. CHARLES L. FRANKE

Lippert Holds 2-Day SGP Board Meeting

Screen Guild Productions' board of directors held a two-day meeting at the Hotel Gotham here at the weekend, with discussions revolving around plans for expanding the company's sales organization and new product. Attending were SGP president Robert L. Lippert, who presided, Arthur Lockwood, John L. Franconi, Jack Engel, Bert M. Stearn, J. F. White, Jr., Albert Dezel and F. A. Bateman, and Arthur Greenblatt, general sales manager.

Before coming to New York for the meeting, Lippert was honor guest at a luncheon given by SGP associates in Boston. The SGP president, urging greater studio economies, told the gathering that producers must stop adding the cost of maintaining unused studio space to the cost of pictures being produced. He said that when divorcement of theatres comes it will bring havoc in Hollywood because the large producers own theatres which help out with the cost of operating studios. Hollywood salaries, he held, are far too high.

SPG, Majors To Meet

HOLLYWOOD, Oct. 24.—With the issue of seniority reportedly the only major item still outstanding, negotiations between the Screen Publicists Guild (AFL) and major producers will resume here this week in an effort to reach a new contract.

SMPE President

(*Continued from page* 1)

tomorrow. Johnston's speech was called off once before while he was in Europe, then restored to the program on Friday.

Richard Hodgson, director of technical operations of television at Paramount Pictures, will deliver an address on "Paramount Pictures' System of Theatre Television" tomorrow.

The Society's progress medal, its *Journal* award, and the Samuel L. Warner memorial award will be presented at the semi-annual banquet Wednesday evening.

To Aid Pioneer Affair

In addition to supervising the special decoration of the Sert Room of the Waldorf-Astoria Hotel here for the Motion Picture Pioneers' ninth annual dinner on Nov. 17, Leon Leonidoff, senior producer of Radio City Music Hall, will stage the show and direct special ceremonies in connection with the affair, according to Jack Cohn, the organization's president.

U-I Sets 70 'Premieres'

"Kiss the Blood Off My Hands," initial Harold Hecht-Norma production, will be launched by Universal-International with a series of 70 territorial premieres starting Saturday.

Newsreel Parade

PERSONALITIES in the spotlight of the current newsreels include President Truman, Gov. Dewey, Gen. Clay, George Marshall and Eric Johnston. Other items include the American Legion convention in Miami, sports, and floods in Japan. Complete contents follow:

MOVIETONE NEWS, No. 85—President Truman attends American Legion convention in Miami. Gov. Dewey at N. Y. *Herald-Tribune* forum. London Commonwealth conference. Secretary Marshall in Athens and Rome. Gen. MacArthur meets Korean president. Gen. Clay reports on airlift. U. S. Navy has an anniversary. Sports: football, freshman-sophomore rush at Columbia.

NEWS OF THE DAY, No. 215—Reds revolt in Korea. Report from Europe: W. Averill Harriman says conditions improved through ERP aid. Secretary Marshall in Rome. Legionaires of nation in parade. Para-nurses — airborne nurses of mercy. Freshman-sophomore rush at Columbia. Football. "Navy Day."

PARAMOUNT NEWS, No. 18—Football. North Japan floods take heavy toll. Gen. Clay reports on Berlin. Gen. MacArthur is host to the president of Korea. Eric Johnston gives views after trip to Russia. Gov. Dewey calls for unity. Invasion! American Legion wins Miami beachhead.

UNIVERSAL NEWS, No. 189—Salute to U. S. Navy, Gen. Clay; Reds underestimate our airlift to Berlin. News in brief: American Legion and President Truman in Miami. Gov. Dewey at N. Y. *Herald-Tribune* forum. Floods in Japan. Class rush at Columbia. Duck hunting.

WARNER PATHE NEWS, No. 20—President Truman, Earl Warren and American Legion. People in the News: Dewey, Marshall, MacArthur and Clay. French fashions. Football. Paris wrestling. Great events: Theodore Roosevelt.

Selznick, Korda Meet Here on Product

David O. Selznick and Sir Alexander Korda, here from Hollywood and London, respectively, began a series of conferences at the weekend on their forthcoming productions.

High on the agenda is a discussion of "The Third Man," slated to go into production in Vienna about Nov. 15. SRO will release it in the Western Hemisphere and Korda's organization will release it in the Eastern. Selznick and Korda have completed arrangements for the production of four films, of which "Third Man" is the first. Others will include "Tess of the D'Ubervilles" and "A Tale of Two Cities"

Paul MacNamara, public relations vice-president of Selznick Releasing Organization, has arrived here from Hollywood to set up publicity, advertising and exploitation plans for David O. Selznick's forthcoming "Portrait of Jennie."

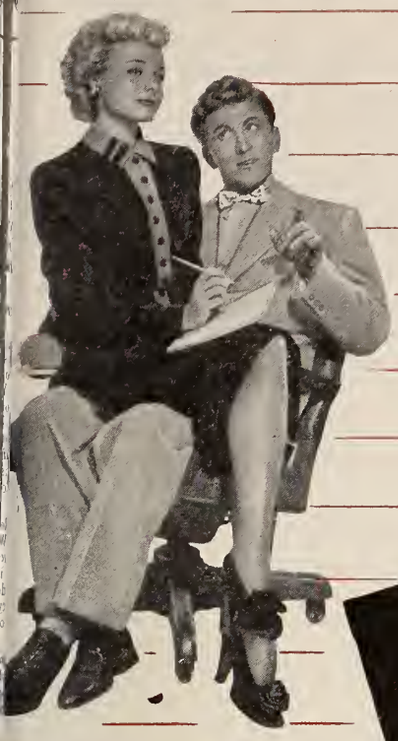
Extended Loop Runs

(*Continued from page* 1)

dant distributor having an "unusual" picture for which they would petition for extended Loop playing time, but concluded that "from here in, the exceptions are going to be very few and far between."

Attorney Vincent O'Brien represented Warner, and Norman Korfist, substituting for attorney Thomas McConnell, represented the Jackson Park Theatre.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rookefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; Theatre Sales; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.



HOW'D YOU LIKE TO BE IN THE POSITION

TO CASH IN ON
"A wacky, zany film . . . whose sequences bring down the house."
HOLLYWOOD REPORTER



"**Plenty** of humor throughout. Name draw boxoffice appeal. Wynn takes honors in laugh division."
THE EXHIBITOR

"**Quality** production has right materials. Fashioned for laughs."
FILM DAILY

"**One** of the zaniest bounciest laugh-evokers of year. An almost unbelievably fast pace to finish in romp."
INDEPENDENT

"**Should** do business everywhere. 95 minutes of entertainment."
SHOWMEN'S

"**Full** of lively laughs. Handsomely staged. A sure-fire attraction for 'A' playing time."
BOXOFFICE

"**Should** pay off well at the boxoffice. Audience continually delighted. Told at a furious speed, performed smartly."
MP HERALD

"**Should** keep coin rolling into UA tills. Wonderful cast. Rare comedy."
DAILY VARIETY

"**A wacky,** zany film . . . whose sequences bring down the house."
HOLLYWOOD REPORTER

"**High**-speed comedy full of mirthful complications. Preview audience rollicked with continuous laughter."
MP DAILY

"**Welcome** batch of slapstick should score nicely. A load of laughs."
VARIETY



rticularly
nderful for
type who
es for the
e who cannot
e!

Harry M. Popkin presents
LARAINE DAY • KIRK DOUGLAS
KEENAN WYNN • HELEN WALKER
in
"My Dear Secretary"
RUDY VALLEE • Florence Bates • Alan Mowbray
Gale Robbins • Irene Ryan • Grady Sutton
Produced by Leo C. Popkin • Written and Directed by Charles Martin • A Harry M. Popkin Production

It's the biggest parade of sec's since the typewriter was invented!

Released thru UA

U. S. Rejected

(*Continued from page* 1)

sented to Assistant U. S. Attorney General Herbert Bergson last week by a legal delegation headed by James F. Byrnes and Samuel Rosenman. Justice officials, however, viewed the new proposals as still inadequate and remained adamant on a minimum of divestiture of all but showcase theatres in cities over 100,000 population.

The companies feel they could do as well or better by continuing in court, even if they were to lose the forthcoming final rounds. They take the position that unless the Department is willing to concede some ground in its divestiture demands they are without any inducement to discuss a decree further.

Attorneys for the four companies are reported to have conferences slated with company heads early this week to decide whether to continue negotiations or forget them and concentrate on preparing for trial Nov. 8.

Stanley Hearing Is Postponed to Nov. 8

WASHINGTON, Oct. 24.—Date for argument in the suit by K-B Amusement Co. to force Stanley Co. out of the jointly-owned MacArthur Theatre has again been set back, this time to Nov. 8.

French Set Rules

(*Continued from page* 1)

tion must rest with the French; at least one French version of the production must be made and registered; the French alone have the right to arrange distribution in France and Western Europe; income, both in France and abroad, will be divided on a pro rata basis.

M. Fourre-Cormeray, director general of the Centre National de la Cinematographie, whose approval is necessary for such enterprises, has stated the conditions on which approval will be granted in a letter to Frank McCarthy, of the MPAA.

BFPA To Examine

(*Continued from page* 1)

ing terms for his product irrespective of the opinions of rival distributors.

Nevertheless, the present situation has its ironical aspects in view of the fact that Rank is president of the BFPA.

Rank originally considered sliding scale terms rising to a maximum of 60 per cent, later shaving the maximum to 50 per cent for a complete program. After continued exhibitor protests, he reached a tentative agreement with the CEA general council 10 days ago calling for a sliding scale from 33 to 50 per cent, with intermediate breaks at 40 and 45 per cent. The agreement reportedly called for an exemption ceiling for theatres grossing $600 weekly instead of the former $500 ceiling.

Other distributors, through the Kinematograph Renters Society, were critical of the proposals and indicated they would refuse to go along.

Ascap Extends

(*Continued from page* 1)

the "peril" of clearing music rights through Ascap members singly.

Ascap made known its new stand on Friday in answering a brief submitted by the plaintiffs. Ascap now assures that "in no event could the picture performing rights be asserted or enforced against them (the plaintiffs)."

This new development is said to have industry-wide significance because final judgment in the case could be used as a precedent by exhibitors, other than the immediate plaintiffs, bent on legal action against Ascap.

Ascap does not concede, however, that the copyright proprietors should sell public performance rights to film producers simultaneously with the licensing of synchronization rights. Plaintiffs insist that should be the procedure.

Cohen Trust Suit

(*Continued from page* 1)

joined with Century in the maneuver, charging that Century compensated R. and G. for its losses in over-bidding because Century's Farragut Theatre stood to profit. Cohen states that R. and G.'s Granada won clearance over both Cohen's Albermarle and Century's Farragut, but waived the clearance over the latter.

The plaintiff charges that he took over the Albermarle on a 15-year lease on June 1, 1948, and that previously it was operated by Century. When Century had the Albermarle the house had clearance, Cohen continues. He states that the loss of clearance has impaired the value of the Albermarle to the extent of $400,000 damages, which would be trebled under the anti-trust law. Although RKO is the only distributor named, Cohen asserts that the other defendants attempted to coerce other film companies to give the Granada clearance also.

Conciliation Tie

(*Continued from page* 1)

TOA spokesman who explained that the proximity of members' circuits to distribution headquarters makes it relatively easy for circuit heads and distribution executives to meet for discussions of those problems which arise from time to time. MMPTOA conciliation machinery would therefore be superfluous, he said.

'Baby' Premiere Set

SAN FRANCISCO, Oct. 24. — Third world premiere by 20th Century-Fox during the Spyros P. Skouras 35th anniversary celebration will be staged at the Fox Theatre here on Nov. 3 with "When My Baby Smiles at Me." Rodney Bush, 20th-Fox exploitation manager, is here from New York to set up advance arrangements. The other premieres in the 13-week celebration are "Apartment for Peggy," which opened in Detroit on Sept. 30, and "The Snake Pit," which will start at the Rivoli in New York on Nov. 4.



BOB HOPE is on the Road to Ruin with JANE RUSSELL and loves it—in "The Paleface"

Color by Technicolor

Produced by ROBERT L. WELCH
Directed by NORMAN Z. McLEOD
Original Screenplay by Edmund Hartmann and Frank Tashlin • Additional Dialogue by Jack Rose

For Your PARAMOUNT CHRISTMAS!

WANTED

Booker for distribution. Shorthand and typing. Apply:
SIRITZKY INTERNATIONAL
250 W. 57th Street
New York City Phone: CO 5-3871

The BEST in SOUND

was none too good for

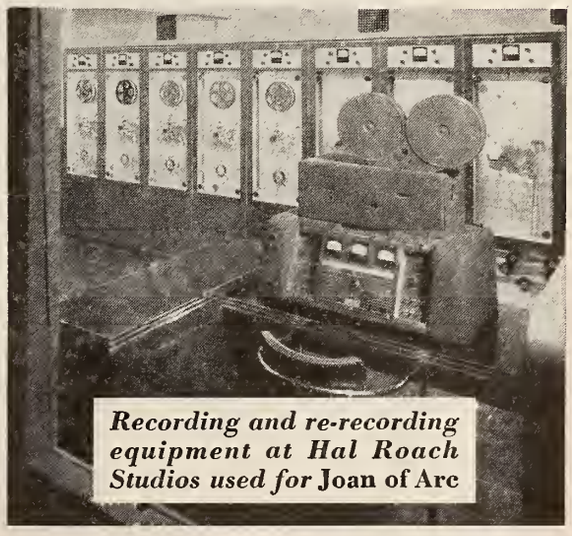
JOAN OF ARC



Ingrid Bergman
as
Joan of Arc

RECORDING *Joan of Arc* on Western Electric's new deluxe "400" type sound equipment was in accordance with the producers' conviction that only the best would do for Ingrid Bergman's newest starring film.

Because it gives unexcelled sound quality... because it is extremely versatile and adaptable... and because of its *automatic* operation . . . the Western Electric "400" is now setting the pace in motion picture sound recording.



***Recording and re-recording equipment at Hal Roach Studios used for* Joan of Arc**

Electrical Research Products Division
OF
Western Electric Company
INCORPORATED
233 BROADWAY, NEW YORK 7, N. Y.
Hollywood office—6601 Romaine St.

Sierra Pictures Presents
JOAN OF ARC
Starring Ingrid Bergman
A Victor Fleming Production

Producer	Walter Wanger
Director	Victor Fleming
Recorded by	Hal Roach Studios
Recordist	William Randall
Released by	RKO Radio Pictures
Sound by	Western Electric

TRIUMPH!

HIS SCAR... marked them both!

EAGLE LION FILMS presents

PAUL HENREID · JOAN BENNETT
"HOLLOW TRIUMPH"



"I'm sick and tired of being wise, and rotten and dirty!.."

with EDUARD FRANZ · LESLIE BROOKS · JOHN QUALEN · MABEL PAIGE · HERBERT RUDL
Produced by PAUL HENREID · Directed by STEVE SEKELY · Screenplay by DANIEL FUCHS · Based Upon a Novel by MURRAY FOR

Another hit for the BILL HEINEMAN DRIVE!

BOX-OFFICE TRIUMPH!... Broke 6-year record at Astor Theatre, Reading Pa.,—tops at Hollywood, Atlantic City; Senate, Harrisburg; Warner, Memphis; Roxy, Oakland; United Artists, Chicago; United Artists, San Francisco!

FILE COPY
DO NOT REMOVE

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64. NO. 81 NEW YORK, U. S. A., TUESDAY, OCTOBER 26, 1948 TEN CENTS

Supreme Court Will Not Rule On Clearances

Frees Distributors of Liability of Damages

WASHINGTON, Oct. 25. — The U. S. Supreme Court today refused to review a decision of the eighth Circuit Court of Appeals upholding the legality of film clearances set by the American Arbitration Association under the 1940 consent decree and freeing distributors of any liability for damages resulting from their observance of these clearances.

The high court said it would not hear an appeal by a group of independent St. Louis exhibitors, headed by Harry C. Arthur. The Arthur group, in a case started in Oct., 1944, held that the New York District Court had exceeded its authority in setting up the AAA, and asked injunctive relief and $285,000 damages for alleged injuries resulting from clearances set by the association and observed by the distributors.

The Supreme Court never gives reasons for taking or refusing cases,

(*Continued on page 7*)

N. Y. Grosses Satisfactory

Business in New York's first-runs is generally satisfactory this week. However, at one location, Loew's State, grossing records were smashed in the opening of "The Three Musketeers," with $97,000 taken in.

Two other films also opened big here, "A Song Is Born" at the Astor expecting to produce a bright $41,000, and "The Red Shoes" heading for $17,500, capacity business, in its first week at the Bijou. Also continuing to gross capacity is "Hamlet," with

(*Continued on page 7*)

Move for Dismissal Of Dipson's Action

BUFFALO, Oct. 25.—In order to consider separate motions for dismissal made by the defendants, Buffalo Federal Judge Knight has adjourned to Nov. 4 the trial in the $5,000,000 trust action brought by Dipson Theatres against eight distributors, Buffalo Theatres and individuals.

The defendants in their bid for dis-

(*Continued on page 7*)

Paramount Clearance Cut in Indianapolis

Continuing its program of clearance adjustments around the country in accordance with new marketing conditions and other factors, Paramount has reduced from 42 to 30 days Indianapolis first-run availability over subsequent-run houses. That city's first-runs include four Monarch theatres and two operated by Loew's.

Paramount recently effected changes in Minneapolis but these involved subsequent-runs only.

UA Will Insist Upon Television Rights

All new United Artists film distribution contracts coming up for approval by its board of directors will include a television clause guaranteeing the company video distribution rights, upon completion of theatrical distribution.

The first company to take such action in the new field with the creation of a television sales department, United Artists will henceforth provide full releasing and sales service for its independent producers. The company's film sales set-up, covering 33 exchange centers in the United States and Canada has been geared into the first nationwide video sales staff as well.

John H. Mitchell, heading the new U. A. television sales department, has

(*Continued on page 8*)

More Duties For O'Shea

In a realignment of domestic distribution shifts to cope with stepped-up activities, Charles M. Reagan, distribution vice-president of Paramount Pictures has assigned additional duties to E. K. (Ted) O'Shea, his executive assistant.

O'Shea, who joined Paramount in 1947 when that company acquired Liberty Productions, will, in addition to his present assignment, take over supervision of Paramount's mid-Eastern division, effective immediately.

This division, for the past three years, has had Earle W. Sweigert as division sales manager. The division comprises Philadelphia, Washington, Pittsburgh, Cleveland, Detroit and Cincinnati.

Sweigert will resume his post as district manager, covering Philadelphia, Pittsburgh and Washington. The

(*Continued on page 7*)

Paramount Theatre To Telecast Election

The Paramount Theatre aims for another television first on Election Night when it will employ large-screen television to present election returns at intervals. It will be the theatre's first televised feature to be given advance public announcement.

The coverage will be made possible by collaboration between Paramount and television station WPIX. Television staffs, telecameras and relay facilities have been pooled so that

(*Continued on page 8*)

RKO Board to Meet on New Theatre Firm

Texans Bid for Houses Under Divorcement Plan

Howard Hughes and the board of directors are scheduled to meet on the Coast this week to finalize a proposed settlement with the Department of Justice in the Paramount, *et al.*, case under which RKO would separate production and exhibition with a new company to be formed to operate the theatres, it is reported in top industry circles here. That an early accord with the Department is in view was reported yesterday by MOTION PICTURE DAILY.

RKO is said to have a long-range divestiture program in mind, the first step being sale of its fractional holdings in 300 theatres, such as its 10 per cent interest in the Butterfield Circuit.

The approximately 100 theatres which the company controls subsequently would become the property of the new exhibition company with stock splits effected so that current public holders would surrender shares in RKO in return for securities of

(*Continued on page 7*)

'IA' Invades Sopeg at RKO

Attorneys for IATSE Motion Picture Home Office Employes Local No. H-63 will file with the National Labor Relations Board here today a petition for recognition as the collective bargaining representative of RKO Radio's home office "white collarites," the union disclosed yesterday.

RKO Radio is the third Screen Office and Professional Employes Guild stronghold to be invaded by H-63 since the companies announced their

(*Continued on page 2*)

Ruffin, Jr., Elected Head of Tri-States

MEMPHIS, Oct. 25.—W. F. Ruffin, Jr., of Covington, was elected president of Tri-States Theatre Owners as the exhibitor organization, at its convention here today, adopted changes in its by-laws to rotate the presidency among Arkansas, Mississippi and Tennessee and to invite exhibitors

(*Continued on page 8*)

Johnston Raises 'Iron Curtain' at SMPE Meet

WASHINGTON, Oct. 25.—So important does the Soviet government now consider motion pictures that it has named to Cabinet rank a Minister of Cinematography, Eric A. Johnston, president of the Motion Picture Association of America, reported at the luncheon-meeting here today launching the 64th semi-annual convention of the Society of Motion Picture Engineers. Other "Iron Curtain" countries are following the Soviet lead and creating similar posts, he added.

Johnston told reporters following the session that the first list of American films to be offered the Russians under his recently-announced deal with that country will be ready in "three or four days" and from that list the new

(*Continued on page 8*)

Will Rule Nov. 30 in Oklahoma Case Bid

OKLAHOMA CITY, Oct. 25. — Judge Edgar S. Vaught of U. S. District Court will rule on Nov. 30 on the Government's request that Theatre Enterprises, Inc., be made a defendant in the Griffith anti-trust case in place of Westex and R. E. Griffith Theatres. The Government's motion was argued today with Justice Department attorney George W. Wise contending that Theatre Enterprises is substantially the same ownership which existed when the suit was filed nine years ago.

Vaught will also begin hearings on Nov. 30 on the Supreme Court's re-

(*Continued on page 7*)

Personal Mention

DANIEL T. O'SHEA, president of Vanguard Films, is here from Hollywood.

•

EDWARD M. SCHNITZER, United Artists Eastern and Canadian sales manager, became a grandfather for the fourth time with the birth of a son, ROBERT IAN, to his daughter, MRS. LAWRENCE PARSLY, at Doctor's Hospital, New York.

•

ALFRED JACOB and MRS. JACOB, the former ROSALIE ROSS, have become parents of a daughter born last Saturday in Johannesburg, South Africa. The mother was formerly a publicist for RKO here.

•

M. L. SIMONS, assistant to M-G-M exhibitor relations head H. M. RICHEY, will attend the Kentucky Theatre Owners convention in Louisville tomorrow and Thursday.

•

E. T. GOMERSALL, assistant to Universal-International distribution vice-president WILLIAM A. SCULLY, has returned here from New Orleans.

•

WALTER L. TITUS, JR., Republic division manager, is due back in New York next week from Atlanta and Charlotte.

•

GEORGE D. BURROWS, Allied-Artists-Monogram executive vice-president and treasurer, is here from the Coast.

•

HOWARD G. MINSKY, 20th Century-Fox assistant Eastern division manager, left here yesterday for Scranton.

•

CLAUDE MORRIS, Edward Small special representative, has left New York for Indianapolis and Detroit.

•

ARTHUR GREENBLATT, Screen Guild Productions general sales manager, is in Pittsburgh from New York.

•

EDWARD L. WALTON, Republic assistant general sales manager, is in Philadelphia from New York.

•

ELADIO NOVO, president of Ibero-America Films of Havana, is in town for business negotiations.

•

WALTER GOULD, United Artists foreign manager, left here over the weekend for Argentina.

•

EUGEN SHARIN, Ambassador Films president, left here yesterday by plane for Hollywood.

Midwest Prod., New Company, Slates 3

HOLLYWOOD, Oct. 25.—Three properties have been scheduled by Midwest Productions, new company headed by Wolfgang Reinhardt and Daniel E. Field, Midwestern exhibitor. Reinhardt has just finished production of "Caught" for Enterprise release. First on the Midwest slate will be shot in Cuba, the second is a football story and the third will be "Owens Valley," a Hans Jacoby original.

Gov't Scores Lawson In Bid for Review

WASHINGTON, Oct. 25.—The Government today opposed a Supreme Court review—at this time—of the contempt of Congress conviction of film writer John Howard Lawson. It said the U. S. Court of Appeals for the District of Columbia should act first.

The Justice Department said that while the case "may present important issues concerning civil liberties," the matter was not "of such transcendent public importance and interest" as to require the immediate attention of the Supreme Court, before the Court of Appeals has a chance to act on the case.

In asking immediate high court review of his conviction, Lawson had declared the case was so important that it warranted skipping the normal procedure of a trial in the appellate court first, and then the request for a Supreme Court review.

The Government said that Lawson's attorneys claim their brief is ready to be filed in the Court of Appeals here, and that nothing more remains to delay prompt consideration of the case except for the Government's brief to be filed.

Refuse to Review Picket Convictions

WASHINGTON, Oct. 25.—The U. S. Supreme Court today refused to review the conviction of 35 film workers found guilty of having violated an order restraining picketing around Columbia's Hollywood studios in Nov., 1946.

Members of various unions in the Conference of Studio Unions, they claimed the restraining order was too vague and broad to be constitutional and that there were many improper aspects of their trial. Now that the high court has denied their appeal, they face sentences ranging from one year in jail to two years' summary probation, and fines aggregating $9,650.

'IA' Invades Sopeg

(*Continued from page* 1)

refusal to "do business" with SOPEG and its affiliate, Screen Publicists Guild, because those unions have failed to comply with the non-Communist affidavit provisions of the Taft-Hartley Law. First SOPEG unit to fall was United Artists which has since joined the H-63 ranks as a result of an NLRB election. Meanwhile, an election has been set by NLRB at Republic for Nov. 3.

There are two SOPEG shops at RKO here: RKO Radio, which has been invaded by H-63, and RKO Service Corp., which H-63 spokesmen say is slated for invasion in the near future.

Walsh Aids Truman

WASHINGTON, Oct. 25.—Richard F. Walsh, IATSE international president, has been elected a member of the executive committee of the American Federation of Labor's Committee for Truman and Barkley.

Variety Dinner for O'Donnell on Dec. 4

Dallas, Oct. 25.—Robert J. O'Donnell of Texas Interstate Theatres and chief barker of International Variety Club, will be honored at a testimonial dinner to be given by the Variety Club of Texas on Saturday, Dec. 4 at the Hotel Baker here. Raymond Willie is general chairman.

Rules Against Scully, Work in Stock Suit

Federal Judge Harold R. Medina yesterday ruled in U. S. District court here in favor of Universal-International minority stockholder Stephen Truncale in his suit against U-I distribution vice-president William A. Scully and former U-I executive Clifford Work, both charged with improper stock transactions in violation of Sec. 16-B of the Securities and Exchange Act of 1934.

In granting Truncale's motion for summary judgment, Medina indicated that the two defendants will be liable for money made under stock transactions cited by the plaintiff, and ruled that further proceedings will be in order to assess damages. However, 450 stock purchase warrants involved in Truncale's charges against Scully were removed as evidence by Medina who held that charges regarding them could not be brought against Scully since the defendant had presented them as a gift to his wife.

Radio Writers 'Strike' Is Effective Today

All members of the Authors League of America have been notified that the order to withhold writing radio material, unanimously passed by the League Council last Wednesday, becomes effective today. Until further notice, members are to withhold material not covered by contracts.

Basic contracts are in force with the four major networks and their programs will not be affected. Also exempted are those independent producers or advertising agencies who are signatory to letters of adherence to the network agreements.

Ad Material for 'Song'

Samuel Goldwyn Productions and RKO Radio are making available to exhibitors specially prepared radio transcription advertising material in support of "A Song Is Born," including recorded sound track music, interviews with stars Danny Kaye and Virginia Mayo, and an album of the commercial recordings of the picture's songs. The picture, now playing at the Astor here, will go into general release on Nov. 25.

Delay 'Blimp' Hearing

WASHINGTON, Oct. 25.—Hearings on the Federal Trade Commission's complaint against United Artists, in connection with advertising and exhibition of "Colonel Blimp," have been postponed from tomorrow to Nov. 18.

Frozen Money for 'Rapture' in Rome

Frozen dollars accredited to non-film interests are being used in the financing of an American-made film now being produced in Italy in what is believed to be one of the first such arrangements of its kind since the international dollar exchange became virtually disrupted by faltering economic programs abroad, it is disclosed here.

The picture is "Rapture" and financing is being afforded by Gridge, Inc., board chairman of which is Robert Goelet, Sr., prominent American real estate operator who is said to be using money tied up in Italy for the production. Glenn Langdon, Elsie Albiin, Lorraine Miller, Eduardo Ciannelli and Douglas Dumbrille are the top performers in the film which is being made at the Scalera Studios in Rome. Goffredo Alessandrini is directing.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
ROCKEFELLER CENTER
Greer Garson, Walter Pidgeon
in "JULIA MISBEHAVES"
Peter Elizabeth Cesar
LAWFORD - TAYLOR - ROMERO
A Metro-Goldwyn-Mayer Picture
SPECTACULAR STAGE PRESENTATION

EDWARD G. ROBINSON
GAIL RUSSELL
JOHN LUND in
"Night has a thousand Eyes"
A Paramount Picture
in Person TONY PASTOR And His Orchestra
Plus ROCHELLE & BESSE
NIP NELSON
Extra Added Attraction VIC DAMONE
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

HOWARD HAWKS'
RED RIVER
CAPITOL B'way & 51st St
— In Person —
TONY & SALLY DeMARCO
BUCK & BUBBLES
NAT BRANOWYNNE and his Orch.
ROSE MARIE

FIRST TIME AT REGULAR PRICES!
RKO PRESENTS
"MOURNING BECOMES ELECTRA"
Brandt's MAYFAIR 7thAve.& 47th St.

THE RED SHOES
color by Technicolor
BIJOU THEATER
All seats reserved
Mail orders now

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; Theatre Sales; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

BETTY GRABLE

DAN DAILEY

JACK OAKIE

JUNE HAVOC

THE NAMES YOU SEE IN LIGHTS BELONG TO PEOPLE!

You may have wondered where your favorite stars get the deep feeling and warmth to put over a song or a dance or a love scene so that it remains your fondest memory for years

"When My Baby Smiles At Me" tells you. They get it from their own lives. It is distilled out of their own experiences in what they proudly call "the profession." They get it from the heart because they are real people.

Although I have seen many back-stage stories on the screen, none, in my opinion, has presented show people to the public with such realness, human-ness, tenderness and warmth as "When My Baby Smiles At Me."

Naturally, I am prejudiced. But I know show business. I also know audiences. You, too, have a heart. It will be touched by this picture.

George Jessel

MAGNIFICENTLY PRODUCED BY 20th CENTURY-FOX

TO GIVE EVERY BOXOFFICE A LIFT

Personal Mention

DANIEL T. O'SHEA, president of Vanguard Films, is here from Hollywood.

•

EDWARD M. SCHNITZER, United Artists Eastern and Canadian sales manager, became a grandfather for the fourth time with the birth of a son, ROBERT IAN, to his daughter, MRS. LAWRENCE PARSLY, at Doctor's Hospital, New York.

•

ALFRED JACOB and MRS. JACOB, the former ROSALIE ROSS, have become parents of a daughter born last Saturday in Johannesburg, South Africa. The mother was formerly a publicist for RKO here.

•

M. L. SIMONS, assistant to M-G-M exhibitor relations head H. M. RICHEY, will attend the Kentucky Theatre Owners convention in Louisville tomorrow and Thursday.

•

E. T. GOMERSALL, assistant to Universal-International distribution vice-president WILLIAM A. SCULLY, has returned here from New Orleans.

•

WALTER L. TITUS, JR., Republic division manager, is due back in New York next week from Atlanta and Charlotte.

•

GEORGE D. BURROWS, Allied-Artists-Monogram executive vice-president and treasurer, is here from the Coast.

•

HOWARD G. MINSKY, 20th Century-Fox assistant Eastern division manager, left here yesterday for Scranton.

•

CLAUDE MORRIS, Edward Small special representative, has left New York for Indianapolis and Detroit.

•

ARTHUR GREENBLATT, Screen Guild Productions general sales manager, is in Pittsburgh from New York.

•

EDWARD L. WALTON, Republic assistant general sales manager, is in Philadelphia from New York.

•

ELADIO NOVO, president of Ibero-America Films of Havana, is in town for business negotiations.

•

WALTER GOULD, United Artists foreign manager, left here over the weekend for Argentina.

•

EUGEN SHARIN, Ambassador Films president, left here yesterday by plane for Hollywood.

Midwest Prod., New Company, Slates 3

HOLLYWOOD, Oct. 25.—Three properties have been scheduled by Midwest Productions, new company headed by Wolfgang Reinhardt and Daniel E. Field, Midwestern exhibitor. Reinhardt has just finished production of "Caught" for Enterprise release. First on the Midwest slate will be shot in Cuba, the second is a football story and the third will be "Owens Valley," a Hans Jacoby original.

Gov't Scores Lawson In Bid for Review

WASHINGTON, Oct. 25.—The Government today opposed a Supreme Court review—at this time—of the contempt of Congress conviction of film writer John Howard Lawson. It said the U. S. Court of Appeals for the District of Columbia should act first.

The Justice Department said that while the case "may present important issues concerning civil liberties," the matter was not "of such transcendent public importance and interest" as to require the immediate attention of the Supreme Court, before the Court of Appeals has a chance to act on the case.

In asking immediate high court review of his conviction, Lawson had declared the case was so important that it warranted skipping the normal procedure of a trial in the appellate court first, and then the request for a Supreme Court review.

The Government said that Lawson's attorneys claim their brief is ready to be filed in the Court of Appeals here, and that nothing more remains to delay prompt consideration of the case except for the Government's brief to be filed.

Refuse to Review Picket Convictions

WASHINGTON, Oct. 25.—The U. S. Supreme Court today refused to review the conviction of 35 film workers found guilty of having violated an order restraining picketing around Columbia's Hollywood studios in Nov., 1946.

Members of various unions in the Conference of Studio Unions, they claimed the restraining order was too vague and broad to be constitutional and that there were many improper aspects of their trial. Now that the high court has denied their appeal, they face sentences ranging from one year in jail to two years' summary probation, and fines aggregating $9,650.

'IA' Invades Sopeg

(*Continued from page* 1)

refusal to "do business" with SOPEG and its affiliate, Screen Publicists Guild, because those unions have failed to comply with the non-Communist affidavit provisions of the Taft-Hartley Law. First SOPEG unit to fall was United Artists which has since joined the H-63 ranks as a result of an NLRB election. Meanwhile, an election has been set by NLRB at Republic for Nov. 3.

There are two SOPEG shops at RKO here: RKO Radio, which has been invaded by H-63, and RKO Service Corp., which H-63 spokesmen say is slated for invasion in the near future.

Walsh Aids Truman

WASHINGTON, Oct. 25.—Richard F. Walsh, IATSE international president, has been elected a member of the executive committee of the American Federation of Labor's Committee for Truman and Barkley.

Variety Dinner for O'Donnell on Dec. 4

Dallas, Oct. 25.—Robert J. O'Donnell of Texas Interstate Theatres and chief barker of International Variety Club, will be honored at a testimonial dinner to be given by the Variety Club of Texas on Saturday, Dec. 4 at the Hotel Baker here. Raymond Willie is general chairman.

Rules Against Scully, Work in Stock Suit

Federal Judge Harold R. Medina yesterday ruled in U. S. District court here in favor of Universal-International minority stockholder Stephen Truncale in his suit against U-I distribution vice-president William A. Scully and former U-I executive Clifford Work, both charged with improper stock transactions in violation of Sec. 16-B of the Securities and Exchange Act of 1934.

In granting Truncale's motion for summary judgment, Medina indicated that the two defendants will be liable for money made under stock transactions cited by the plaintiff, and ruled that further proceedings will be in order to assess damages. However, 450 stock purchase warrants involved in Truncale's charges against Scully were removed as evidence by Medina who held that charges regarding them could not be brought against Scully since the defendant had presented them as a gift to his wife.

Radio Writers 'Strike' Is Effective Today

All members of the Authors League of America have been notified that the order to withhold writing radio material, unanimously passed by the League Council last Wednesday, becomes effective today. Until further notice, members are to withhold material not covered by contracts.

Basic contracts are in force with the four major networks and their programs will not be affected. Also exempted are those independent producers or advertising agencies who are signatory to letters of adherence to the network agreements.

Ad Material for 'Song'

Samuel Goldwyn Productions and RKO Radio are making available to exhibitors specially prepared radio transcription advertising material in support of "A Song Is Born," including recorded sound track music, interviews with stars Danny Kaye and Virginia Mayo, and an album of the commercial recordings of the picture's songs. The picture, now playing at the Astor here, will go into general release on Nov. 25.

Delay 'Blimp' Hearing

WASHINGTON, Oct. 25.—Hearings on the Federal Trade Commission's complaint against United Artists, in connection with advertising and exhibition of "Colonel Blimp," have been postponed from tomorrow to Nov. 18.

Frozen Money for 'Rapture' in Rome

Frozen dollars accredited to non-film interests are being used in the financing of an American-made film now being produced in Italy in what is believed to be one of the first such arrangements of its kind since the international dollar exchange became virtually disrupted by faltering economic programs abroad, it is disclosed here.

The picture is "Rapture" and financing is being afforded by G[illegible]ridge, Inc., board chairman of which is Robert Goelet, Sr., prominent American real estate operator who is said to be using money tied up in Italy for the production. Glenn Langdon, Elsie Albiin, Lorraine Miller, Eduardo Ciannelli and Douglas Dumbrille are the top performers in the film which is being made at the Scalera Studios in Rome. Goffredo Alessandrini is directing.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
ROCKEFELLER CENTER
Greer Garson, Walter Pidgeon
in "JULIA MISBEHAVES"
Peter Elizabeth Cesar
LAWFORD - TAYLOR - ROMERO
A Metro-Goldwyn-Mayer Picture
SPECTACULAR STAGE PRESENTATION

EDWARD G. ROBINSON
GAIL RUSSELL
JOHN LUND in
"Night has a thousand Eyes"
A Paramount Picture
in Person TONY PASTOR And His Orchestra
Plus ROCHELLE & BEEBE
NIP NELSON
Extra Added Attraction VIC DAMONE
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

HOWARD HAWKS'
RED RIVER
CAPITOL B'way & 51st St
— In Person —
TONY & SALLY DeMARCO
BUCK & BUBBLES
NAT BRANDWYNNE and his Orch.
ROSE MARIE

FIRST TIME AT REGULAR PRICES!
RKO PRESENTS
"MOURNING BECOMES ELECTRA"
Brandt's MAYFAIR 7th Ave. & 47th St.

THE RED SHOES
color by Technicolor
BIJOU THEATER
All seats reserved
Mail orders now

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; Theatre Sales; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

BETTY GRABLE

DAN DAILEY

JACK OAKIE

JUNE HAVOC

THE NAMES YOU SEE IN LIGHTS BELONG TO PEOPLE!

You may have wondered where your favorite stars get the deep feeling and warmth to put over a song or a dance or a love scene so that it remains your fondest memory for years

"When My Baby Smiles At Me" tells you. They get it from their own lives. It is distilled out of their own experiences in what they proudly call "the profession." They get it from the heart because they are real people.

Although I have seen many back-stage stories on the screen, none, in my opinion, has presented show people to the public with such realness, human-ness, tenderness and warmth as "When My Baby Smiles At Me."

Naturally, I am prejudiced. But I know show business. I also know audiences. You, too, have a heart. It will be touched by this picture.

George Jessel

MAGNIFICENTLY PRODUCED BY 20th CENTURY-FOX

TO GIVE EVERY BOXOFFICE A LIFT



Betty
GRABLE
Dan
DAILEY

"When My Baby Smiles At Me"

COLOR BY
TECHNICOLOR

Jack Oakie · June Havoc · Richard Arlen · James Gleason

Directed by Walter Lang Produced by George Jessel

Screen Play by LAMAR TROTTI · Adaptation by Elizabeth Reinhardt · From a Play by George Monker Watters and Arthur Hopkins · Lyrics and Music: "By The Way"-"What Did I Do?" by Mack Gordon and Josef Myrow

Dances Staged by Seymour Felix and Kenny Williams

20th CENTURY-FOX

is putting smiles on the faces of showmen everywhere with...



The Walls Of Jericho



That Lady In Ermine

TECHNICOLOR



The Luck Of The Irish



First Time At Regular Prices

Forever Amber

TECHNICOLOR



Apartment For Peggy

TECHNICOLOR



Cry Of The City

and coming!



Road House



Yellow Sky



Unfaithfully Yours



The Snake Pit

N. Y. Grosses

(*Continued from page* 1)

more than $16,000 in view for its fourth week at the Park Avenue.

"Julia Misbehaves," with a stage presentation, is firm in a third week at Radio City Music Hall, with a good $81,000 grossed Thursday through Sunday expected to mount to $127,000 for the week. At the S[illegible]d, "Johnny Belinda," plus [illegible]y Martin's band on stage, is still strong, a fourth and final week promising $60,000; "June Bride" will take over there on Friday.

Business is brisk for the second week of "Apartment for Peggy," and a stage show, at the Roxy where $54,000 taken in Friday through Sunday is expected to spiral to $92,000. Also doing well is "The Night Has a Thousand Eyes," which, together with Vic Damone on stage at the Paramount is on its way to a sharp $63,000 in a second week; the picture will hold until Nov. 2 when "Sealed Verdict" will take over.

"Red River" and a stage show topped by Tony and Sally DeMarco, has faltered somewhat at the Capitol where $41,000 is indicated for a fourth and final week; the third week brought $59,598. "One Touch of Venus" will move into the Capitol on Thursday.

Satisfactory in its second week at the Mayfair is "Mourning Becomes Electra," due for $21,000. At the Criterion, "Walk a Crooked Mile" is expected to do a fair $20,000 in its final 10 days. It will be succeeded by "Kiss the Blood Off My Hands" on Friday after a run of two weeks and three days. "Gallant Blade" is doing poorly at the Rivoli, with only $9,000 seen for the second week. At the Sutton, "The Louisiana Story" is expected to produce a firm $7,800 for a fourth week, after $8,600 for the third.

Dipson Action

(*Continued from page* 1)

missal first charge insufficient evidence to raise a presumption of fact and, secondly, dismissal on the grounds that the plaintiff has offered no proof that damages have been incurred. On a third count, they ask dismissal of that part of the action involving the Century and Riviera theatres on the allegation that Dipson no longer operates these houses and has no assignment of a cause of action from their present operator. In the complaint Dipson charged that leases running to 1949 on the two theatres were lost as a result of alleged trade restraints.

O'Shea Duties

(*Continued from page* 1)

post of district manager was left open after he became division manager in 1945. Sweigert will maintain his district office in Philadelphia, where he makes his home.

Present offices of the mid-Eastern division, currently in Philadelphia, will be moved to New York.

FLY OVERNITE TO CALIFORNIA
COAST TO COAST $88 PLUS TAX
DC-4 • 12 HOURS
Skycruises inc.
CALL BRYANT 9-3707
108 W. 43rd St. Hotel Diplomat

Review

"Belle Starr's Daughter"

(Alson-20th Century-Fox)

WITH standard hero-and-villain ingredients, Edward L. Alperson presents an outdoor action drama which stands up pretty well in its category. In this instance George Montgomery is the hero and Rod Cameron the villain, and Ruth Roman is the girl thrown between the two. The film has been given good production values, but a basically routine story removes it from the "epic" classification.

The story opens with Belle Starr, notorious lady bandit of the Old West, being slain by one of her disgruntled henchmen, Cameron. Belle Starr's daughter, Miss Roman, believing that Montgomery, a marshal, did the killing goes off with Cameron and his little band of followers. A long series of melodramatic conflicts and chases between Cameron and Montgomery follow, with Miss Roman finally seeing the light. Miss Roman, thus in danger from Cameron, provides the narrative with an added measure of suspense.

Ample quantities of gunplay and rousing pursuits fill the yarn. Lesley Selander, in his direction, stressed action. The finale of W. R. Burnett's original screenplay has gunman and marshal shooting it out, with victory going to the latter, of course. In a secondary role, Wallace Ford gives an impressive characterization of an ex-gunman alcoholic. Jack Jungmeyer, Jr., was associate producer.

Running time, 86 minutes. General audience classification. For November release.

MANDEL HERBSTMAN

Supreme Court

(*Continued from page* 1)

and the Arthur case was no exception.

The St. Louis group contended that the observance of clearances by distributors was an illegal conspiracy in restraint of trade. When the distributors said that their action was made legal by the consent decree, the independents answered that any part of the decree that could be construed to block an action for relief from anti-trust law violation must be void.

Both the St. Louis District Court and the Eighth Circuit Court ruled, however, that the New York court had not exceeded its authority, and it was these rulings which the high court refused to upset today. A rehearing petition by the St. Louis group is possible, but such petitions are practically never granted, and the high court's action apparently put an end to the attempt to upset the AAA clearances. A whole flood of similar suits could have been expected if the Supreme Court had taken the case and upheld the Arthur group.

The distributors had warned the Court that accepting the case would hamper the New York District Court in its new deliberations on a possible arbitration system, and said this was an additional reason for refusing to review the lower court decision.

Defendants in the suit were Paramount, RKO, 20th Century-Fox, Warner, the AAA, and Harold D. Connor, AAA St. Louis representative.

There still is pending in the AAA's St. Louis office a case to reduce clearances in favor of the Princess Theatre against the Arthur theatres.

Oklahoma Case Bid

(*Continued from page* 1)

versal in the case. Wise hinted that the Government might ask for divestiture in all towns where Griffith has no competition.

Charles B. Cochrane, who formerly represented Westex and R. E. Griffith Theatres and now represents Theatre Enterprises, said the controlling interests are different.

Vaught, who had little to say concerning the petition amendment, offered the following comment on the Supreme Courts' final ruling in the suit: "I don't know what the Supreme Court meant in its decision. I'll have to find out."

RKO Board to Meet

(*Continued from page* 1)

equal value in both RKO and the new company, it is said.

After the split, the shares in the theatre company, which would pass to RKO management, will be sold to outside interests and a report on this phase of the program has it that a syndicate of Texas businessmen, with no other links to the industry, has been dickering with Hughes for these holdings.

With production and exhibition thus separated, the relationship between RKO and the new firm would be strictly that of buyer and seller.

The entire program is subject to approval by the stockholders of RKO and a meeting is anticipated when agreement is reached with the Department of Justice.

French Film Rated 'C' As Legion Reviews 12

Discina International's "Ruy Blas" (French) has been given a "C" classification by the Legion of Decency in its review of 12 pictures. Warner's "June Bride" was given a "B" rating. Rated A-I were: Columbia's "The Gallant Blade," Sierra-RKO Radio's "Joan of Arc" and 20th Century-Fox's "Jungle Patrol."

Classified as A-II were: "Angel in Exile," Republic; "Behind Locked Doors" and "In This Corner," Eagle-Lion; "Eternal Melodies" (Italian), Grandi Film; "Leather Gloves" and "The Return of October," Columbia, and "Sofia," Film Classics.

Hornblow to Italy

LONDON, Oct. 25.—M-G-M producer Arthur Hornblow, Jr., is en route to Italy to scout location sites for his production of "Quo Vadis." Hornblow, who is accompanied by his wife, has just completed conferences here with M-G-M production executive Eddie Mannix regarding "Conspirator" and "Quo Vadis," both of which Hornblow will produce.

Pecora To Induct Pioneers

New York Supreme Court Justice Ferdinand Pecora will conduct the ceremonies at which 30 applicants will be inducted into membership in the Motion Picture Pioneers at the organization's ninth annual dinner at the Waldorf-Astoria on Nov. 17.

$4,500 from U-I for Campaigns for Drive

Universal-International will distribute $4,500 to theatre managers and publicity men for the most effective and original campaigns on its pictures during the "U-I Unity Sales Drive," starting Oct. 31 and concluding April 30, William A. Scully, sales vice-president, announces.

Judges from U-I will be Fred Meyers, Eastern sales manager; F. J. A. McCarthy, Southern sales manager; C. J. Feldman, Western, and district managers John J. Scully, Dave Miller, P. F. Rosian, M. M. Gottlieb, P. T. Dana, Barney Rose, J. E. Garrison, Foster M. Blake and D. A. Levy.

20th-Fox Establishes New Reissue Unit

A new department for servicing reissues has been put into operation by 20th Century-Fox, under the supervision of William C. Gehring, assistant general sales manager, it is announced by Andy W. Smith, Jr., general sales manager.

Reissues selected to inaugurate the new department's activities are "Jesse James," "The Return of Frank James," and "Alexander's Rag Time Band."

Challenge 'Rope' Ban

SEATTLE, Oct. 25.—The local Board of Theatre Supervisors has been ordered by Superior Court Judge Donald A. McDonald to appear in his court on Nov. 1 and show cause why it should not be temporarily restrained from banning the motion picture "Rope". The order was obtained after Frank P. Helsell, attorney for Warner Brothers, filed an action seeking a permanent restrainer against the board. Helsell charged the board acted arbitrarily and illegally in banning the film after it had been shown at the Orpheum for nine days.

Miss Hohne Leaves MOT

Sophie Hohne has resigned as sales and distribution manager of the March of Time forum edition and will take over as director of distribution for the Princeton Film Center.


Now... de luxe all-sleeper service
New York to Paris
every Friday 4 P.M. EST
Fly on world-proved TWA Constellations. Cocktails, champagne, vintage wines. Filet mignon dinner. Bed-size berths! Hot breakfast! Call TWA or your travel agent.
The only Coast-to-Coast Constellations
TWA
TRANS WORLD AIRLINE
U.S.A. • EUROPE • AFRICA • ASIA

Personal Mention

ARTHUR B. KRIM, Eagle-Lion president, is here from Hollywood.

•

BEN WIRTH, head of Warner Theatres concessions, and HAROLD RODNER, his assistant, are in Albany from New York. They will be accompanied to Buffalo by CHARLES A. SMAKWITZ, Warner zone manager in Albany, and IRVING FRIED, president of Tri-State Automatic Candy Corp.

•

ANDY W. SMITH, JR., general sales manager of 20th Century-Fox, will arrive in New Orleans today from Memphis. Accompanying SMITH are SAM SHAIN, director of exhibitor relations, and HARRY G. BALLANCE, Southern division manager.

•

MAURICE A. BERGMAN, Universal-International Eastern advertising-publicity director, and ROBERT UNGERFELD, U-I "Hamlet" theatre representative, will leave here today for Chicago.

•

F. J. A. MCCARTHY, Universal-International Southern and Canadian sales manager, will leave New York today for Canada.

•

IRVING PICHEL, producer, and FERNANDEL, French screen star, are among passengers sailing for Europe today on the *SS Mauretania*.

•

SAM MARX, M-G-M production executive, is due back here today from Boston and will leave for Washington tomorrow.

•

A. PAM BLUMENTHAL, chairman of the Cinecolor board, will return to the Coast today from New York.

•

L. J. KAUFMAN, Warner executive, left here last night for Pittsburgh.

•

GEORGE CUKOR, M-G-M director, is due here tonight by plane from London.

NFS Units Take Over E-L, SRO Accounts

PHILADELPHIA, Oct. 26. — Bonded Film Storage Co., New York representative of National Film Service, has taken over physical handling of films of Eagle-Lion, while Film Service, Inc., of Milwaukee, has taken over the Selznick Releasing Organization account there, according to William J. Clark, NFS vice-president.

Publicists on MBS Net

Publicists from both major and independent studios will talk about current and forthcoming product on the Mutual Broadcasting film quiz program, "Red Benson's Movie Matinee," over approximately 400 stations on the network, Mondays through Saturdays.

MOT Shows 'Air Power'

March of Time was host to the press here yesterday at a reception and preview of its latest release, "America's New Air Power," held at the Time and Life Building.

Poppele Sees 355 Video Outlets by '51

J. R. Poppele, president of the Television Broadcasters Association, predicted yesterday that there will be 134 television stations operating in the U. S. by the end of 1949; 235 by the end of 1950, and about 355 by the end of 1951. Speaking before the Association of National Advertisers convention here, Poppele said that television pioneering "has been a costly venture, but the pay-off for all concerned is due to come and come sooner than most expect." He said the 39 television stations now active represent a $750,000 investment per broadcaster.

$160,000 Fox Claim Settled in Court Here

Federal Judge John C. Knox yesterday signed in U. S. District Court here a show-cause order fixing settlement of a $160,000 claim of receivers of the old Fox Theatre Corp. against Loew and subsidiaries.

Fox Theatre Corp. went into bankruptcy in 1932 and the claim arose out of transactions between Loew and former trustees of Fox, the late John F. Sherman and William E. Atkinson, involving sale to Loew subsidiaries for $55,000, a $265,000 debt due the bankrupt Fox organization. Settlement allows for legal fees accruing to Robert Aronstein. Knox has set Nov. 5 as a deadline to show cause why an order should not be made allowing Aronstein the fees.

Pittsburgh Variety Elects 11 Directors

PITTSBURGH, Oct. 26.—The newly-elected board of 11 directors of Variety Club Tent No. 1 will meet in the William Penn Hotel Clubrooms Friday to name a chief barker.

The new board is composed of Bill Zielor, Norman Mervis, Tom Troy, John D. Walsh, Al Weiblinger, George Eby, Carl Doser, Elmer I. Ecker, Ben Steerman, Sam Speranza and Pete Dana. Zielor and Mike Shapiro were named delegates and Mervis and Dana alternates to Variety's annual convention at San Francisco next year.

135 at K.C. Luncheon For Frank Plumlee

KANSAS CITY, Oct. 26.—Luncheon in honor of Frank Plumlee, who is resigning from Theatre Enterprises to join Tom Edwards in the Edwards-Harris Circuit in St. Louis, was held at the Muehlebach Hotel yesterday with 135 present. R. I. Payne, general manager of Theatre Enterprises, and Harold Harris were among the guests. Ed Kidwell, who succeeds Plumlee as district manager of Theatre Enterprises was introduced.

Richard Dix Is Ill

LOS ANGELES, Oct. 26.—Richard Dix, star of "The Whistler" series, is seriously ill in a sanitarium in Monrovia following a heart attack. He is 53 years old.

Union Forum

(*Continued from page* 1)

Guild, chairman of the agenda committee for the proposed forum, said he was not aware of reluctance on the part of "IA" representatives, and added that any indications of apprehension would be unfounded since the proposed forum would not be "an organization" but would merely provide the unions and crafts with opportunities to exchange views and "crystallize information about the commercial film field."

Representatives of the 11 organizations will meet again in about three weeks, Martel said, indicating that at that time it will be possible to tell whether there is full agreement on setting up a forum. The respective governing bodies of the 11 will meet individually in the interim to determine their positions.

Legion to Report

(*Continued from page* 1)

duction Code; also, because in Hollywood, instead of ascribing the box-office decline to an increased interest in television and the fact there is not as much money around for entertainment purposes, some believe they can "pep up pictures by including objectionable themes and scenes."

Mrs. Looram pleaded with "every supporter of the Legion of Decency" to see "Joan of Arc," observing that perhaps it is the greatest motion picture ever made. She said it has universal appeal for Catholics, Protestants, Jews, and those with no religion. "If this picture fails at the box-office we cannot expect Hollywood or any other production center to make another of the type," she commented.

Rank's Terms

(*Continued from page* 1)

tion but in view of British Board of Trade president Harold Wilson's threatened inquiry into the integration of distribution and exhibition.

Following today's BFPA meeting, the organization set up a committee to consider the matter of Rank's terms. Rank thereupon informed the CEA that he will be unable to resume discussions until the committee's deliberations are concluded. Meanwhile, CEA, holding the initiative, regards itself free to withdraw its previous pledge to support the quota on the provision of Rank's conceding new terms. More important, Rank is well aware that exhibitors will default their quota if new, acceptable terms are not obtained.

Squeeze on Imports

(*Continued from page* 1)

Spanish producer, and Producciones Grovas of Mexico also are reported to have concluded an agreement on exchanging several features.

Though the percentage of U. S. films shown in the top 10 first-run Madrid theatres dropped in July and August, Hollywood offerings held up well at the box-office. They accounted for 13 of 36 features shown by the 10 theatres, but took in 67.9 per cent of the gross receipts.

Newsreel Parade

THE Presidential campaign round up and the French coal strike mark current newsreel highlights. Items of a wide range of interest round out the reels. Complete contents follow:

MOVIETONE NEWS, No. 86—French mine strike. Gwalior festival. Historic plane returns to America. Baruc S. on Russia forces us to make atomic ways. England's royal family attends wedding. Football.

NEWS OF THE DAY, No. 216—Presidential campaign round-up. Reds foment French coal strike riots. Grateful Berlin kids thank U. S. fliers. Regal splendor in Hindu festival. Gridiron report.

PARAMOUNT NEWS, No. 19—UN in Paris. Reds veto bid to halt Berlin crisis. France seeks showdown. First DP's sail under new U. S. law. Battle of the ballots. College football parade.

UNIVERSAL NEWS, No. 190—Airlift increase as Russia vetoes parley. French strike. Plane crash in Scotland. Football.

WARNER PATHE NEWS, No. 21—Displaced persons. People in the news: Harry Truman, Perry Brown, Catherine Rickert. French mine riots. Western fashions. Swiss pilots. Football: Army-Cornell, Michigan-Minnesota.

US Conciliator Enters Radio Writers' Tilt

J. R. Mandelbaum, assistant regional director of the Federal Conciliation and Mediation Service, has intervened in the dispute between the Radio Writers Guild of the Authors League of America and advertising agencies to avert possible disruption of radio programs which had been set for yesterday.

The order of the Authors League to all of its members that they refrain from supplying material to shows the producers of which have not reached agreement with the guild stands. All shows, however, have a backlog of scripts, and the guild counted on picketing to prevent these shows from appearing. The guild agreed not to picket during mediation.

Lopert and Rossellini Form a Partnership

I. E. Lopert, president of Lopert Films, recently back from a two months survey of France and Italy, has formed an association with Roberto Rossellini, Italian director, to produce motion pictures abroad under the supervision of Rossellini.

Lopert Films will distribute all pictures made by Rossellini not released by major companies. They have formed Rossellini Films of Rome and Rossellini Films of New York.

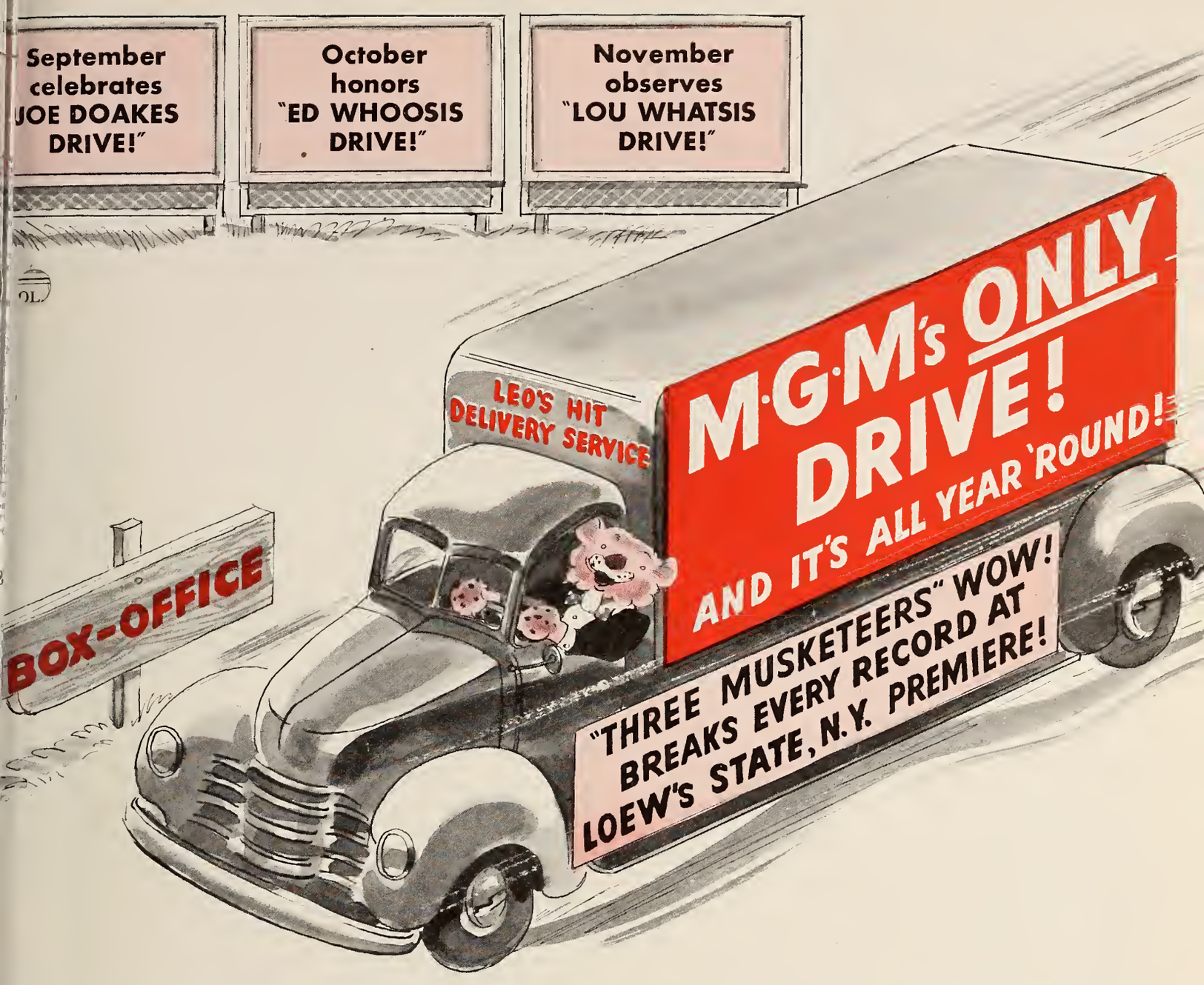
New B'nai B'rith Film

New York's Cinema Lodge of B'nai B'rith will hold a special screening of the newly-produced B'nai B'rith vocational guidance film, "Dealing in Futures," at the Hotel Astor here tomorrow night, S. Arthur Glixon, president of the Lodge announces. The film was produced by Glixon and directed by Robert Staub.

Village Tax Continues

PLYMOUTH, O., Oct. 26. — The village council has approved an ordinance to renew the local three per cent admission tax. The impost was originally enacted for a limited period.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres and Theatre Sales, published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.



EVERY MONTH IS M-G-M MONTH!

Electrifying the industry is the record-breaking business of "Three Musketeers" at Broadway's new showcase of top pictures, Loew's State. After a terrific run of hits, M-G-M continues to be the hottest company in the business. Jot down these titles for the big money: "JULIA MISBEHAVES" (*New M-G-M Music Hall record!*), "3 GODFATHERS" (*Technicolor*), "COMMAND DECISION," "LITTLE WOMEN" (*Technicolor*), "HILLS OF HOME" (*Technicolor*), "WORDS AND MUSIC" (*Technicolor*), "EDWARD, MY SON," "NO MINOR VICES," "SUN IN THE MORNING" (*Technicolor*), "FORCE OF EVIL," "BARKLEYS OF BROADWAY" (*Technicolor*), "THE BRIBE," "ACT OF VIOLENCE," "TAKE ME OUT TO THE BALL GAME" (*Technicolor*) and many more!

Paramount, Keough

(*Continued from page* 1)

reached, Keough observed, not, of course, in the number of theatres each would relinquish, but in the classifications of theatres which would be barred. Numerically, Paramount would be the greatest loser for the obvious reason that the company has the greatest holdings, he continued.

Keough made it clear that it is not Paramount's intention to sever all partnership connections in offering to stay only in "very substantial competitive situations."

"We will make efforts to settle out of court," he said, "offering what we think is right. We would give up operations in partnerships—but not all of them by any means."

'Will Not Destroy Properties'

In the course of a criticism of the Government's proposed early divestiture of approximately 1,400 of the majors' theatres and eventual complete divorcement, Keough asserted that "Paramount will not destroy its theatre properties."

He charged that the Government has asserted itself on divorcement without presenting the necessary facts on the origin of theatre acquisitions and subsequent operations which were called for, he said, by the U. S. Supreme Court in its opinion on appeals in the case.

Keough said that he recognized the existence of numerous conflicting reports and opinions regarding the Government's action versus the eight distributors.

He ascribed these to the fact that often the companies are at odds with each other on strategy and evince independence of thought even on the advantages of new trade practices which could stem from the litigation. He gave for example Paramount's persistent stand against competitive bidding although this method of licensing was not objected to by the four theatre-owning co-defendants in appeals from the New York decree. "Each of the companies appears to have different problems and different approaches," he said.

May Seek to Defer Hearing

Keough characterized as a possibility a request by the companies for a further postponement of the newly-scheduled court hearings for Nov. 8 provided that the Government is in agreement. He expressed the belief though that the court would grant such a postponement only with the assurance of both sides that they are "very near" to an accord on a decree.

Questioned with regard to Judge Augustus N. Hand's intimation at the last hearing on Oct. 13 that he might appoint a master to hear the remainder of the case, Keough said he believes that such a development would not come as a surprise if the new proceedings promise to be protracted. He said that judicial procedure is such that a master could be appointed to hear the additional testimony and then report to the court.

DOUGLAS 4-ENGINED
FLY OVERNITE TO CALIFORNIA
COAST TO COAST $88 PLUS TAX
DC-4 • 12 HOURS
Skycruises inc.
CALL BRYANT 9-3707
108 W. 43rd St. Hotel Diplomat

Review

"Let's Live A Little"

(United California—Eagle-Lion)

APPARENTLY on the happy assumption that what the ticket-buying public wants is more and wackier stories about advertising agency account executives and their fantastic efforts to engage vacillating clients, screenwriters Albert J. Cohen and Jack Harvey have concocted a yarn which, in theme, resembles such predecessors as "The Hucksters" and "An Innocent Affair." For good measure there has been added a smattering of psychiatry and some old-fashioned Mack Sennett horseplay. It all turns out to be a merry romp.

Eugene Frenke and Robert Cummings, giving their production a resourceful treatment, headed their cast with Hedy Lamarr, Robert Shayne, Anna Sten and Cummings himself. The story is one that takes spirited liberties with credulity, but the mood is such that only the severely critical will mind. It has Cummings, formerly engaged to the exotic Miss Sten, pursuing her in an effort to get her signature to a renewal of her advertising contract. The pace is too hectic for him and he becomes a sleepless neurotic. A change of scene and client is indicated and he takes on the exploitation of a new book on practical psychiatry written by a Dr. Loring—who turns out to be still another beautiful female client, none other than Miss Lamarr. One look at Cummings and Dr. Lamarr decides he needs her psychiatric help. From this point on the story ping-pongs back and forth in farcical complications. But it all ends happily with Cummings winning Miss Lamarr and Miss Sten winning Shayne, a somewhat harassed surgeon who was supposed to be in love with Miss Lamarr. Richard Wallace's direction of this comedy from United California Productions keeps things rolling at a breezy clip.

Running time, 85 minutes. General audience classification. For November release.

MANDEL HERBSTMAN

RKO Meet Friday

(*Continued from page* 1)

be created to take title to and operate the approximately 100 theatres owned or controlled by RKO, with the exception of designated showcase houses in key cities. Stock of the new company would go to present RKO shareholders on an exchange basis. All or a majority of the shares in the new company to be issued to Howard Hughes, who owns the controlling stock interest in RKO, presumably would have to be disposed of by him to prevent interlocking interest.

It has been reported that a group of Texas businessmen are forming a syndicate to bid for the shares and there are reports, also, that a similar group may be formed in New York headed by a theatre executive to bid for the shares which probably would represent a controlling interest in the new company.

Consummation of a divestiture plan is expected to result in a consent decree eliminating RKO from further phases of the Government's New York anti-trust suit.

SIMPP, Ascap

(*Continued from page* 1)

and RKO ask that Ascap be restrained from bringing infringement action against exhibitors showing the films of producers who have not obtained the performing rights, or in any way impeding the exhibition of their films.

The brief, prepared by SIMPP counsel Robert J. Rubin, noted that SIMPP, its members and RKO have no direct interest in the affairs of Ascap and in this respect stand apart from some other film companies which have music publishing subsidiaries either with representation on the Ascap board or among Ascap's membership.

Johnston at ECA Meet

WASHINGTON, Oct. 26.—Motion Picture Association of America president Eric Johnston is scheduled to attend a meeting of the ECA advisory board tomorrow. His European trip caused him to miss the last two meetings.

Small Business Unit Sets Nov. Hearings

WASHINGTON, Oct. 26.—The House Small Business Committee which has been studying the need for and ways of tightening the anti-trust laws, will get the views of top Government anti-trust officials at hearings here sometime in mid-November.

The committee during recent hearings in 12 Western and mid-Western cities heard many complaints from independent exhibitors, and has displayed wide interest in monopoly problems in the film industry. Justice Department and Federal Trade Commission officials will participate in next month's hearings.

'Unsavory' Films

(*Continued from page* 1)

his organization here that "the large number of questionable pictures is doing harm to the industry."

Unless films provide their audiences with entertainment, he pointed out, people will look to other media. He also cited the coming competition of television in Canada, adding that film theatres in the U. S. had already been adversely affected by 15 per cent.

Main's views were bolstered by R. W. Bolstad, vice-president, who averred: "Whether we like it or not we are now faced with the competition of a new form of entertainment—television—but we cannot stop the wheels of progress."

Mrs. Marjorie Dawson of the Motion Picture Association of America's New York Office described the preliminary development of the Canadian national children's library committee. This program, she said, would not make money but would earn good will for the exhibitor.

It was reported at the convention that the ranks of the organization had increased by 41 during the past year, bringing the total of 313 exhibitor members to an all-time high.

New Protestant Film

HOLLYWOOD, Oct. 26.—With Edward Nassour as producer, "By Bread Alone," next feature for the Protestant Film Commission, will go before the cameras early in December.

Tri-States

(*Continued from page* 1)

executive director of TOA, said co ciliation would come to distribut and exhibitors in proportion to t co-operation they showed one anot in every-day dealings.

Speaker after speaker emphasiz their interest in the latest moveme to stop litigations between exhibito and distributors but thought an over plan should be formulated immedi ly and worked out along lin would be favored by Theatre O of America.

Max Connett, Newton, Miss., e hibitor and new secretary-treasur of Tri-States, is chairman of the co ciliation committee named by retirin president Orris Collins. A board directors' meeting will be held shor ly, the committee enlarged and plan drafted, it was decided.

At the closing sessions today, th convention heard Edward Zorn, pres dent of United Theatre Owners c Illinois, plead for free trailers to ad vertise forthcoming attractions.

Max E. Youngstein, advertising publicity vice-president of Eagle-Lion a guest speaker here from New York urged the exhibitors to join in a vig orous public relations program in co operation with all branches of the industry, as did Sam Shain of 20th Century-Fox.

H. M. Richey called on delegates t work for better showmanship.

The convention elected the followin three-state board members:

Board from Arkansas: Emma Cox, Sidney Wharton, Dave Callihan, O. G. Abernathy, Terry Axley, Gordon Hutchins and Sam Kirby; board from Tennessee: Chalmers Cullins, M. A. Lightman, Sr., Tom Dallas, Steve Sten, W. F. Ruffin, Sr., Louise Mask, J. A. West; board from Misssisippi: R. X. Williams, Charles Eudy, W. S. Taylor, Leon Roundtree, Dwight Blissard, T. M. Jourdon and Grady Cook.

Topflight Promotion

Topflight Tape Co., manufacturer of advertising sticker-tape for motion picture and theatre promotions, has published the first issue of *Topflight Topics*, house publication, prepared by J. Edward Schwalm, production manager of the Yorktowne Advertising Agency, York, Pa.


Have YOU tried a SKYBERTH on American's famous DC-6 "MERCURY" flight to LOS ANGELES?
Phone HAvemeyer 6-5000 or your travel agent
Ticket Offices: Airlines Terminal
Rockefeller Center • Hotel New Yorker
120 Broodway • Hotel St. George
AMERICAN AIRLINES

Accurate Concise and Impartial

MOTION PICTURE DAILY

FILE COPY DO NOT REMOVE

MOTION PICTURE ASSOC. OF AMERICA, 28 WEST 44TH ST., 21ST FL NEW YORK, N. Y. (3 COPIES)

FIRST IN FILM NEWS

VOL. [illegible] NO. 83 NEW YORK, U.S.A., THURSDAY, OCTOBER 28, 1948 TEN CENTS

ASCAP CAN'T LEVY ON ISSUED FILMS

Court Grants Producers Protection; Also Bars Suits Against Exhibitors

New York Federal Court Judge Vincent L. Leibell yesterday revealed he will enjoin Ascap and its members, as individuals, from collecting music public performance-right fees from producers on all films already made.

While still insisting that these rights as well as the synchronization licenses should be cleared by the producer at the same time, Judge Leibell further restrained the Society and its members from copyright infringement action against exhibitors where showings of films already produced are involved.

In amending his findings and conclusions of law of July 19 in the suit instituted by a group of over 160 New York theatres, Judge Leibell took note of a memorandum submitted on Tuesday by RKO Radio and the Society of Independent Motion Picture Producers in which both asked for protection against any possible liability insofar as

(Continued on page 4)

Para.'s Decree Plan Given to Government

Goldenson in Three-Day Meet; US Non-committal

Theatre divestiture proposals concerned with problems peculiar to Paramount were presented to the Department of Justice by Leonard Goldenson, Paramount vice-president in charge of theatre operations, who returned here from Washington last night after three days of meetings.

No comment on the results of the meetings was forthcoming but indications in Washington, where it was said that no further meetings are scheduled at this time between Paramount and the Department, were that the Paramount proposals looking to a consent decree in the New York case were not found to be acceptable by the Government.

Goldenson's appearance for the first time in the decree negotiations with the Government and the fact that he

(Continued on page 4)

'IA' Invades Sopeg Hold at Paramount

AFL's IATSE today will further broaden the scope of its penetration into the "white collarite" strongholds here of CIO's Screen Office and Professional Employes Guild by filing with the National Labor Relations Board a petition for recognition as the collective bargaining representative of employes at Paramount's home office, Famous Music Corp., and the Paramount Laboratory at Long Island City.

These make six SOPEG units to be invaded by "IA" Motion Picture Home Office Employes Local No. H-

(Continued on page 2)

Poole Resigns from Two Organizations

LOS ANGELES, Oct. 27.—Robert H. Poole announced today his resignation as executive secretary of the Independent Theatre Owners of Southern California and Arizona after 14 years, and as executive director of the Pacific Coast Conference of Independent Theatre Owners, a post he held since formation of PCCITO.

"While I deeply regret leaving, an

(Continued on page 2)

See O'Donnell Bidding for RKO Theatres

HOUSTON, Oct. 27.—Robert J. O'Donnell is understood to be the head of a group being formed by Texas business men to bid for the approximately 100 theatres owned or controlled by RKO, with the exception of designated showcase houses in key cities, and which Howard Hughes is reportedly desirous of divorcing from RKO.

Jesse Jones, former Texas theatre builder and financier and former head of the Reconstruction Finance Corp., is also linked prominently with the syndicate in the reports, as are a num-

(Continued on page 4)

KATO Hears Plea For Industry Action

LOUISVILLE, Oct. 27.—Challenge to the industry of television, censorship, the decline of the foreign market, high production costs and costly litigation that is making the industry a lawyers' "paradise" were discussed by Gael Sullivan, executive director of Theatre Owners of America, in a speech opening the convention of the Kentucky Association of Theatre Owners here today.

Decrying the "bad press" the industry has been receiving lately, Sullivan emphasized that a positive and aggressive, not merely defensive, public relations policy is needed. "There is always a good audience for a good show," he said.

With approximately 100 exhibitors on hand, the session opened this afternoon with an open meeting presided

(Continued on page 2)

U. S. Admission Tax Collections Are Off

WASHINGTON, Oct. 27.—General admission tax collections, up so sharply over 1947 in August, were off slightly from 1947 levels in September, the Bureau of Internal Revenue reported today. September collections reflect August box-office business.

Sept., 1948, collections totaled $35,933,211, compared with $37,068,543 in Sept., 1947. Aug., 1948, collections of $34,141,294 were close to $5,000,000 ahead of Aug., 1947. In only three months—August, June and March—have 1948 collections exceeded 1947 totals.

The general admission tax figures include collections at sports events, legitimate theatres, and other public exhibition places in addition to motion picture theatres, but do not include roof garden and cabaret taxes nor taxes on various brokers sales, leases, and overcharges.

Mono. Stockholders To Meet on Nov. 10

HOLLYWOOD, Oct. 27.—Monogram stockholders will meet on Nov. 10, to be followed by separate meetings of the board of directors and then franchise holders on Nov. 11-12, Steve Broidy, president, announced today.

Principal matter on the agenda of the stockholders meeting is the election of a board of directors. M. R. Goldstein, general sales manager, will report to franchise holders on the company's expanded sales policy.

SMPE Citations to Levinson and Mole

WASHINGTON, Oct. 27.—Nathan Levinson, technical director of the Warner studio; Peter Mole, head of Mole-Richardson Co., and J. S. Chandler, D. F. Lyman and L. R. Martin, all of Eastman-Kodak, were recipients this evening of achievement awards from the Society of Motion Picture Engineers at the banquet marking the organization's 64th semi-annual convention, being held at the

(Continued on page 2)

"You Gotta Stay Happy"

[*Rampart-Universal-International*]—Wins by a majority

THE audience that will not be amused by this pleasantry probably will be hard to find. For "You Gotta Stay Happy" has the merit of dealing with situations and circumstances lending themselves to the kind of attraction which has long and successful history behind it.

This one reminds of the story line in "It Happened One Night." It is not the same, of course, but in general characteristics it brings its famed predecessor to mind. Joan Fontaine, the world's richest girl, marries Willard Parker principally because there appears to be no reason against him. No sooner is the ceremony over, however, than she decides it was a mistake and turns to James Stewart, ex-Air Force pilot now struggling with a "one-lung" cargo service, for relief. He obliges out of pure gallantry in a gawky sort of way, agrees to get her out of the city without

(Continued on page 4)

$1,276,905 9-Month Net for Technicolor

Net consolidated profit of Technicolor, Inc., for the nine months ended Sept. 30, is estimated to be $1,276,905, equivalent to $1.39 per share, compared to $1,146,363, equivalent to $1.25 per share for the corresponding nine months of 1947.

Dr. Herbert T. Kalmus, president

(Continued on page 4)

Personal Mention

H. WILLIAM AUTEN, Eagle-Lion foreign department representative, has returned to New York from Paris after a five-month trip through Europe and the Near East.

•

ED ZITO, account executive of Lambert and Feasley, advertising agency here, and MRS. ZITO, sister of JAMES CUNNINGHAM of MOTION PICTURE DAILY, became the parents of a son on Monday night.

•

JACK ELLIS, New York district manager for United Artists, and JAMES WINN, Buffalo branch manager, will return here today from a business trip to the Oneida Circuit in Upper New York State.

•

MIKE TOMASINO, New Haven theatre owner, has retired after 35 years in the business. His plans include a visit to Rome, where his son, ANGELO, is a film exchange manager.

•

JOHN P. COLLINS, manager of M. and P.'s Paramount Theatre in Newton, Mass., was married last Saturday to MURIEL CAROL MAHER in Cambridge.

•

RUDY BERGER, M-G-M Southern sales head, is due back at his Washington headquarters today from Atlanta.

•

OSCAR F. NEU, president of Neumade Products, and L. E. JONES, sales manager, are in Washington, D. C., from New York to attend the SMPE convention.

•

W. W. SIMONS, Altec Service staff engineer, is attending the Kentucky Theatre Owners' Association convention in Louisville, from New York.

•

MONTAGUE SALMON, managing director of the Rivoli Theatre, has returned to New York from the Coast.

•

R. M. SAVINI, president of Astor Pictures, is in Dallas from New York on a tour of Southern exchanges.

•

GERALD MAYER, MPAA international department chief, will return to New York today from Washington.

•

ARTHUR W. KELLY, executive vice-president of United Artists, left New York for Hollywood yesterday.

•

DORE SCHARY, M-G-M production vice-president, will leave the Coast on Nov. 11 for New York.

•

JIMMY ASCHER of Quigley Publications' Chicago bureau, is in New York.

•

TOM LOY, publicist for IATSE here, is on vacation this week.

•

RUFUS KING, Paramount executive, is here from the Coast.

•

ANTHONY MANN, Eagle-Lion director, is here from Hollywood.

SMPE Cites

(*Continued from page* 1)

Hotel Statler here. Awards were presented by retiring SMPE president Loren L. Ryder.

Levinson was presented the Samuel L. Warner Memorial Award in recognition of his long career in motion picture technology and, in particular, for his "pioneering techniques" in the development of sound recording and for his present work on the "commercial development of a new color system." John Levinson accepted for his father.

Mole received the organization's 1948 Progress Medal for his "pioneering development of lighting techniques through the past 20 years."

Chandler, Lyman and Martin won the 1947 *SMPE Journal* Award for the paper adjudged the best published during that year. The trio co-authored "Proposals for 16mm. and 8mm. Sprocket Standards."

The following 16 members were named to fellowships in the Society for their contributions to the advancement of motion pictures:

Fred T. Albin, RCA Victor; Paul Arnold, Ansco; George W. Colburn, Colburn Laboratories; G. Richard Crane, Western Electric; Glenn L. Dimmick, RCA Victor; Prof. Harold E. Edgerton, MIT; Thomas T. Goldsmith, Dumont; Harold C. Harsh, Ansco; Matthew T. Jones, National Carbon; Donald F. Lymon, Eastman; Pierre Metz, Bell Laboratories; Oscar F. Neu, Neu-Made Products; Ray R. Scoville, Western Electric; Norwood L. Simmons, Eastman; C. O. Slyfield, Walt Disney Studios; H. Edward White, Eastman.

KATO Hears Plea

(*Continued from page* 1)

over by Guthrie Crowe, president, as chairman. Freeman Smith, board chairman, was not on hand because he is hospitalized. Following a speech by Willard Gabhart, vice-president, Arthur DeBra of the Motion Picture Association of America, summarized two recent successful fights against state censorship. He called for advance preparation against new attempts at such laws during the coming legislative session.

Delivering a message for Robert Mochrie and Ned Depinet, Leon J. Bamberger of RKO Radio depicted the production-exhibition relationship in terms of production costs and exhibitor salesmanship. He also stressed the need for making "A" pictures with younger stars not only as a source of economy but also in order to introduce new personalities.

M. L. Simons of M-G-M also addressed the convention on public relations.

The board of directors held a meeting before the session convened.

Yamins Donates 'Lab'

BOSTON, Oct. 27.—Nathan Yamins Research Laboratory, founded by the well-known New England circuit operator through a $200,000 gift to the Beth Israel Hospital here, will be formally dedicated on Sunday.

Wanger at AMPA Meet

Walter Wanger, producer of "Joan of Arc" for Sierra Pictures, will address the Associated Motion Picture Advertisers at the next meeting of the organization on Friday, Nov. 5.

Cohen Names 4 Aides For E-L Sales Drive

Four "lieutenants" have been named by "captain" Milton E. Cohen for Eagle-Lion's forthcoming "Mystery Sales Drive," and another will be appointed shortly, Cohen, Eastern sales manager, reported here yesterday.

Named were: Herman Biersdorf, Southern sales manager; Edward Heiber, Chicago district manager; Grover Parsons, Atlanta district manager, and Tom Donaldson, New England. The 18-week drive will begin next week.

Selznick and Korda Complete Talks Here

David O. Selznick and Sir Alexander Korda were due to complete last night the series of product talks which they have been holding daily here since last weekend when they arrived from Hollywood and London, respectively. The two have joined forces for the production of four pictures.

Korda is expected to return to London today by plane. Selznick will remain in New York for another week at least.

Video Film Series Launched by ABT

First of a series of 13 half-hour musical productions for television was started here yesterday by ABT Productions, Inc., at Movietone News Studios.

ABT, which will produce solely for television, is headed by J. Louis Geller, president; Ira H. Simmons, vice-president and general manager in charge of production; and Charles L. O'Reilly, chairman of the board.

N. J. Grievance Meeting

Allied Theatre Owners of New Jersey's committee on grievances in connection with its recently-adopted plan of exhibitor-distributor conciliation will meet here next Monday to prepare its initial report. Membership is expected to get the report at a meeting which will be held later in the week. Committee consists of Irving Dollinger, Lou Gold and Wilbur Snaper.

New Coast Flightline

Aiming especially at business from the motion picture industry, Skycruises, Inc., will on Monday begin non-scheduled flights between New York, Los Angeles and San Francisco. Hal Lee is president of Skycruises, William I. Tier is vice-president and Western division manager, and Kenneth L. Brereton and Ed Daley, office managers for Boston and Chicago, respectively.

'IA' Invades Sopeg

(*Continued from page* 1)

63 since the distributors announced their refusal to "do business" with SOPEG and its affiliate, Screen Publicists Guild.

Disclosure that NLRB would be petitioned today was made jointly by Russell Moss, H-63 business agent, and James Rogers, "IA" international organizer.

SPG Closes 1-Year Pact with Eagle-Lion

Eagle-Lion and the Screen Publicists Guild, yesterday jointly announced the signing of a one-year contract covering employes of the company's New York office.

Company has agreed that where layoffs for economic reasons are necessary it will call a preliminary meeting with the Guild and discuss the situation, after which it will give four weeks' notice and double severance pay to those persons who are to be laid off. Company further agrees that when such layoffs occur the equivalent of 37½ hours work will be eliminated from the overall operation of the advertising, publicity and exploitation departments. The layoff clause, in addition to all others of the contract, is subject to arbitration.

Company will grant a general cost-of-living increase six months after the signing of the contract (March 15, 1949), amount of the increase to be based upon U. S. Bureau of Labor Cost of Living Index from Sept., 1948, and is to be adjusted upwards only. A number of merit increases, reclassifications and new minimums were granted various persons effective as of the expiration of the old contract, although no immediate general wage increase was granted, SPG reported. Company granted three weeks' vacation with pay to employes who establish 10 years service.

Poole Resigns

(*Continued from page* 1)

opportunity has been presented to me to enter a new field of endeavor," he said. He will announce his new undertaking Dec. 1 when his resignation takes effect. Poole is a veteran leader in exhibitor association affairs and has been particularly active in the correction of trade practices.

His long service was the subject of a laudatory resolution passed by ITOSCA following its annual meeting in which Leroy A. Pauley was elected president by the newly-chosen board. Charles Minor and George Diamos were elected vice-presidents and C. T. Perrin as secretary-treasurer.

The board will meet next week to appoint a successor to Poole.

'Best Years' Back in L.A.

LOS ANGELES, Oct. 27. — Samuel Goldwyn has closed a deal with Sherrill Corwin for "The Best Years" to start a popular-price run in Los Angeles at the four Music Halls and the Pan Pacific Theatre, to open either Christmas or New Year's. It will be the first Los Angeles showing since opening at the Beverly Theatre on Christmas, 1946.

'Rural America' to Ballot

Sixth annual rural motion picture poll, to determine what rural America likes in the way of motion picture entertainment, will begin Nov. 1 when *Country Gentleman* distributes to its 2,300,000 subscribers a ballot on which to list their favorite male and female stars and their selections of the 10 best pictures of 1948.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.


THEY LOVE
HONOR
AND
OH BOY!
ROARING ROOM ONLY!
STRAND, N.Y.
FRIDAY!
BETTE
DAVIS
ROBERT
MONTGOMERY
in the WARNERiot
JUNE BRIDE
WB
WITH
FAY BAINTER
BETTY LYNN
TOM TULLY
Screen Play by Ranald MacDougall • Based
DIRECTED BY
BRETAIGNE WINDUST
PRODUCED BY
HENRY BLANKE



WITCH picture has the most laughter... of course it's

"YOU GOTTA STAY HAPPY"

"You Gotta Stay Happy"

(Continued from page 1)

knowing why. Somewhere between New York and Burbank, interrupted by a forced landing on Percy Kilbride's farm in Oklahoma, love is born. It hits Joan first and Stewart latterly, but in both instances it is like a three-point landing, after the first marriage is annulled.

Eddie Albert is on the general scene as Stewart's partner and co-pilot. Also, there is a minor secondary plot about an absconding bookkeeper and his blonde girl friend, which seems to suggest that the friend is Miss Fontaine until Stewart turns to long distance for the correct dope. In the finale, the two smitten ones resolve their spat, Miss Fontaine gets the man of her dreams and Stewart a brand-new Constellation as well as the girl he loves. Joe, a chimpanzee who smokes cigars, is responsible for considerable of the air-borne fun.

There is an ingratiating and generally whacky air about "You Gotta Stay Happy" which gives it lift and a substance which story implausibility does little to support. This tall tale might have happened in real life, but it is not advised that any one bother about locating a parallel, if that were at all to the point. Performances in the hands of the principals are very good and so, too, are those of such supporting players as Roland Young and Kilbride. Incidental pieces of business introduced into his original screenplay by Karl Tunberg, who also produced, from a story by Robert Carson, are effective. H. C. Potter's direction reflects the spirit of the yarn, although he would have sharpened his tempo by holding down his footage.

Running time, 100 minutes. General audience classification. Release date, not set.

RED KANN

Ascap

(Continued from page 1)

completed product is concerned. This meant films made down through the years.

SIMPP, RKO Radio and others in the industry had expressed fear that they might be forced to obtain public performance rights to music in all such films unless there was filled what they considered to be a void in Judge Leibell's original opinion. Judge Leibell further held that a member of Ascap by the expedient of resigning from the Society would still "not be entitled to collect on his past illegal conduct in splitting the public performance and synchronization rights."

'No Court Would Aid Illegality'

"It is not likely that any court would lend its process to enable either Ascap or its members to profit from what they have already done in furtherance of their illegal conspiracy," Judge Leibell maintained.

The court devoted most of its 13-page commentary of yesterday to an amendment to its controversial conclusion No. 27 which originally held that Ascap should divest itself of motion picture performance licenses and assign them back to the copyright owners. This was strenuously objected to by Ascap.

Provision "A" of that conclusion has been amended to read: "Restraining Ascap from attempting directly or indirectly to enforce the motion picture performance rights of any musical composition against anyone as long as Ascap continues as an illegal combination and monopoly.

"And restraining Ascap members from attempting either directly or indirectly to enforce against anyone the motion picture performance rights of any musical composition of which they have granted motion picture synchronization rights to motion picture producers."

Seeks to Avert Disputes

Judge Leibell said his changes were made in an effort to avert the "probability" of disputes and litigations involving copyright ownerships if Ascap were to be divested of licensing rights. He said, too, that there is "doubt" that the New York court is empowered to order such divestiture in a private suit. He noted in this regard that the Government now has two suits before the same court against Ascap, presumably referring to a decree of 1941 under which Ascap now is operating and a Department of Justice action now pending attacking Ascap's affiliations with counterparts in foreign countries.

He said at this point that the plaintiffs in the New York case may ask to intervene in the Government actions if they are desirous of pressing for divestiture. Plaintiffs are thereupon told to submit a new proposed decree, one that would be "clear and concise and adjudicating only the basic questions on injunctive relief." Defendants were told that they might submit a memorandum in the form of a decree.

While reversing itself on the divestiture issue, the court left intact the remaining provisions of Conclusion 27 which prevent the splitting of public performance and synchronization licensing, directing one ownership (the producer's) of both rights, and the assignment of both rights to the producer at the same time.

O'Donnell Bidding

(Continued from page 1)

ber of local business men, some of them close to Hughes.

The report could not be verified locally.

O'Donnell is vice-president and general manager of Interstate Theatres and one of the nation's top showmen.

Principal financing of the Texas group is described as being "Houston money," which would support O'Donnell as active operator of the theatres. It is also understood that he would head a new company which would be formed to take title to the properties, RKO's divestiture of which is expected to result in a consent decree eliminating the latter from further phases of the Government's anti-trust suit.

Shortly after Hughes acquired control of RKO from the Floyd Odlum-Atlas interests, early last May, O'Donnell was mentioned as being under consideration by Hughes as head of the RKO studio. O'Donnell at that time spent several days in Hollywood with Hughes but subsequently denied the studio report.

Hughes and the RKO board are scheduled to meet on the Coast on Friday to consider a proposed settlement with the Department of Justice in the New York case by theatre divestiture.

Para.'s Decree

(Continued from page 1)

was unaccompanied by representatives of other theatre-owning companies in the suit, gave rise to reports that Paramount, like RKO, had elected to pursue individual negotiations with the Department, separate and apart from Loew's, 20th Century-Fox, and Warners.

Adding strength to the reports was the disclosure that Paramount had not been represented at the meeting in Washington last week with Herbert Bergson, head of the anti-trust division of the Department, at which the companies' latest decree proposals were rejected.

It was ascertained, however, that Goldenson's mission, while looking to a decree agreement for Paramount, was concerned solely with divestiture considerations peculiar to that company and was undertaken with the knowledge of the other three companies. Paramount not only owns many more theatres than the other three but the bulk of its operations, unlike those of the others, is in partnerships.

It was also learned that Paramount's lack of representation at last week's meeting was due to out-of-town business engagements of its representative, which prevented him from attending.

Goldenson reported the results of his meetings to Barney Balaban, Paramount president, by telephone to Hollywood before leaving Washington yesterday.

No information on the new Paramount proposals was available, but MOTION PICTURE DAILY yesterday reported that the company would adhere to the principle of giving up only such theatres as were not operating in "very substantial competitive situations" and that the company had no intentions of giving up all of its partnerships nor of "destroying its theatre properties."

No further decree discussions between the Government and Loew's, 20th-Fox and Warner are scheduled either at this time, it was learned.

RKO, pursuing its separate divestiture course, however, is still in negotiation with the Department, with indications that an agreement could be reached soon.

Technicolor Net

(Continued from page 1)

and general manager, said that profits for the third quarter diminished compared with the second quarter because of a temporary slowing down of operations due to cutting-in some new machinery as part of an expansion program scheduled to be completed by the end of the year.

Peerless in Two Deals

Peerless Film Processing Corp., New York, is extending its service to the Midwest, Reid H. Ray Film Industries, St. Paul, and Atlas Film, Oak Park, Ill., having installed Peerless processing equipment in their laboratories.

DOUGLAS 4-ENGINES
FLY OVERNITE TO CALIFORNIA
COAST TO COAST $88 PLUS TAX
DC-4 • 12 HOURS
Skycruises inc.
CALL BRYANT 9-3707
108 W. 43rd St. Hotel Diplomat





He keeps the action in character...

THE STAR makes his getaway. In his wake "confusion" reigns . . .

This background action, however, is far from helter-skelter; the assistant director has controlled it carefully to keep it characteristic of the scene.

But handling supporting actors is only one of many ways the assistant director daily demonstrates his sense of the dramatic and his organizing skill. He is liaison man between his director and the cast and crews. He prepares shooting schedules . . . assigns calls . . . anticipates every need that might arise.

Thus the difference between efficient picture making and a film that goes beyond its schedule and budget often rests with him. Yet heavy as his responsibility is, it's lightened not a little by the faithful performance of a "partner" in efficiency—the famous Eastman family of motion picture films.

EASTMAN KODAK COMPANY
ROCHESTER 4, N. Y.

J. E. BRULATOUR, INC., DISTRIBUTORS
FORT LEE • CHICAGO • HOLLYWOOD

Quality Color at the Lowest Cost in the Motion Picture Industry

Cinecolor

presents

HIGH QUALITY COLOR
30 DAY PRINT DELIVERIES
LOWEST PRINT COSTS
COST SAVING PRODUCTION TECHNIQUES

...all give Star Performances in "The Cinecolor Story"

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64 — NO. 84 NEW YORK, U.S.A., FRIDAY, OCTOBER 29, 1948 TEN CENTS

FILE COPY DO NOT REMOVE

Says NY Case Not Usable Now In Private Suit

Only Final Judgment Is Admissable, WB Argues

WASHINGTON, Oct. 28. — The Supreme Court Paramount anti-trust case decision cannot be used as *prima facie* evidence against the "Big Five" defendants in private anti-trust suits brought against those defendants, Warner Brothers contended in District Court here today. Only a final judgment in the case will serve that purpose, Warner said.

The Warner contention was advanced in another brief filed in connection with the attempt of K-B Amusement Co. to force Warner's subsidiary, Stanley Co., out of the jointly-owned MacArthur Theatre. Warner attorney Philip Amram, in a series of briefs, has been attempting to demolish all possible grounds for the K-B suit.

First, Amram countered the K-B argument that the Paramount decision required the court here to oust Stan-

(*Continued on page* 8)

Offers Merchandise Display on Screens

Wade Nelson and Associates, a new Los Angeles firm which describes itself as "The link between industry and the screen," is distributing to manufacturers and advertising agencies a brochure which makes the claim that it can supply "advertisers and their agencies with direct representation to the people who write the stories, dress

(*Continued on page* 8)

42 U.S. Features to Germany in New Year

Berlin, Oct. 23 (By Airmail). —At least 42 new American features, plus 52 shorts and documentaries, will be shown in Germany during the coming season, it was announced by Marian F. Jordan of the Motion Picture Export Association.

Jordan also declared that the question of raw film supplies has been settled satisfactorily, so that enough prints will be available for German theatres from now on.

Higher Budget Proposals To TOA Leaders Today

Executive committee of Theatre Owners of America will examine at its meeting here today specific proposals for increasing the organization's operating budget, a TOA spokesman disclosed here yesterday.

The meeting agenda includes point-by-point action on the dictates of the recent TOA convention in Chicago. Additionally, Mitchell Wolfson, chairman of the organization's television committee, will report on an intensive study which his group has made on the possibilities for TOA in video activities. Among other subjects to be taken up are the industry public relations program, the industry-wide conciliation plan for dealing with trade practice disputes, the use of films in promoting exhibitor prestige, plans for expanding TOA through in-

(*Continued on page* 8)

Brazil Sets Ceiling Of 30¢ on Tickets

SAO PAULO, Brazil, Oct. 24 (By Airmail).—Six cruzeiros (30 cents) has been set as the maximum admission price for Brazilian film theatres under the amended regulations of the Central Price Control Committee. Half price is stipulated for students and minors under 12.

The regulations provide for the classification of theatres according to the facilities offered patrons. Admission ceilings, according to the regulations, shall be set up in such fashion that the admission price of one category of theatres shall be 20 per cent lower than that of the category which is immediately higher.

Uruguay Asks for Film Reciprocation

By PAUL BODO

MONTEVIDEO, Oct. 24 (By Airmail). —Only those countries showing Uruguayan films would be permitted to exhibit in Uruguay under a plan proposed by a governmentally-appointed committee instructed to draw up plans for a government-sponsored motion picture industry.

The plan, which has been presented to the Minister of Industry, Fernando Farina, additionally calls for:

Creation of the Instituto Cinematografico Nacional (National Film Institute); financing of production by the official Banco de la Republica, and the building by the state of modern studios and laboratories.

45 Columbia Features for New Season

Columbia Pictures has scheduled about 45 features for 1948-49, compared to 40 in the season just passed. The 45 will come from 50 to be produced, a few of which have already been released.

These will include 21 top features, two "Jungle Jim" films starring Johnny Weissmuller, and 27 others to be available in blocks with a 20 per cent cancellation privilege, the latter representing a practice applied in the first days of the original consent decree in the Government's anti-trust suit.

Already in release are "The Loves of Carmen," Technicolor Beckworth production starring Rita Hayworth and Glenn Ford; "The Fuller Brush Man," Edward Small production star-

(*Continued on page* 7)

Schwartz Chairman Of Federation Drive

Fred Schwartz, vice-president of Century Circuit, has been named chairman of the amusement division of the Federation of Jewish Philanthropies, succeeding Si Fabian, circuit executive, it was announced here yesterday at an organizational luncheon at the Hotel Astor. At the same time, Schwartz disclosed that the division's quota for this year's drive would be $400,000, compared to the $275,000 raised last year.

The Federation's total quota for the year was set at $16,500,000, against

(*Continued on page* 8)

IATSE Moves in On Sopeg at DeLuxe 'Lab'

IATSE Motion Picture Home Office Employes Local No. H-63 today will disclose its intention to invade another Screen Office and Professional Employes Guild shop by petitioning the National Labor Relations Board for recognition as the collective bargaining representative of "white collarites" at DeLuxe Laboratories here, a 20th Century-Fox subsidiary.

Majors Huddle On Court Plan In Para. Case

Counsel Plan for Trial As Decree Chances Fade

Apparently discounting the possibility of entry of a consent decree in the Paramount case, attorneys for the major companies at a meeting here yesterday mapped plans for the new Federal court proceedings here next month.

Although participants at the session were not disposed to talk at any length on what transpired, there was the suggestion of little remaining hope for a decree. It was indicated, however, that the present dim prospects of reaching an agreement with the Government on theatre divestiture did not mean that further talks with the Justice Department have been ruled out.

It was made clear that the companies, excepting RKO, are going

(*Continued on page* 8)

Gulf States Allied Approves Smith Plan

NEW ORLEANS, Oct. 28.—The Smith-Berger conciliation plan was approved by the board of directors of Allied Theatre Owners of the Gulf States at a meeting here today. Recommendations for the acceptance of the plan by the membership will be mailed by the organization immediately.

Approval of the plan was voted by the board following an explanation of its operation by A. W. Smith, Jr., 20th Century-Fox distribution chief. Also attending the meeting were Harry G. Ballance, 20th-Fox Southern

(*Continued on page* 8)

Mayor Cites Films At KATO Meeting

LOUISVILLE, Oct. 28.—Motion pictures and the industry were warmly commended by Mayor Charles Farnsley in an address today at the closing session of the meeting of the Kentucky Association of Theatre Owners. "You are doing a good job in giving people what they want and enjoy," Farnsley told the exhibitors. He said motion pictures have broadened education considerably and cited the film's advantages over the legitimate stage.

The meeting also heard an address

(*Continued on page* 8)

Mexico's Depression Hits Its Producers

MEXICO CITY, Oct. 28. — Mexican producers are feeling the pinch of this country's severe depression as evidenced by the fact that out of 35 pictures produced in the first six months of this year only six have been shown on Mexican screens. For the most part exhibitors, claiming that business is off to almost half of what it was at this time last year, have been booking U. S. product, a policy dictated by the box-office, they say.

While there is some ray of hope for exhibitors in the prospect that vaudeville houses may close in view of the economic lull, it appears that domestic producers can find solace nowhere. Producers and other interests are no longer pressing the campaign started some time ago for legislation requiring 50 per cent of Mexican theatres' playing time for domestic product, but they are beginning to ask why the law of Oct. 16, 1939, which was supposed to compel Mexican theatres to show a Mexican film for at least a week every two months, is not being enforced.

Group to File 'Amicus' Brief on 'Cited Ten'

In an *amicus curiae* to be submitted to the Supreme Court on behalf of the 10 screen writers and directors, the National Council of Arts, Sciences and Professions will ask the court to reverse the lower court's conviction of John Howard Lawson and Dalton Trumbo, it is announced by Dr. Harlow Shapley, chairman of the Council. Lawson and Trumbo were found guilty of contempt in refusing to answer questions put to them by the House Un-American Activities Committee. The brief will challenge the constitutionality of the House group.

Eight More Stars for 'Night of Stars'

John Garfield, Boris Karloff, Bela Lugosi, Peter Lorre, Pat O'Brien, John Payne, Jane Powell and Mickey Rooney have consented to appear in the 15th annual "Night of Stars" benefit to be held at Madison Square Garden on Monday evening, Nov. 15. Robert M. Weitman is chairman. Proceeds will go to the United Jewish Appeal of Greater New York.

Weitman has called another meeting of his producing committee for today in the law library of the Paramount Building, where plans will be made to render a salute to Israel.

Services for Wolfe, Sr.

JERSEY CITY, Oct. 28.—High mass was offered this morning at St. John's Roman Catholic Church here for Dominick Wolfe, Sr., father of Joseph A. Wolfe, National Screen Service treasurer. Wolfe died Monday at the age of 65 after a long illness. Surviving besides Joseph is another son, Dominick, Jr., and two daughters, Mrs. Mary A. Tilsen and Mrs. Catherine R. O'Toole.

Personal Mention

ERIC A. JOHNSTON, Motion Picture Association of America president, was in New York yesterday from Washington.

•

HOWARD G. MINSKY, assistant Eastern division sales manager for 20th Century-Fox, returned here from Scranton yesterday.

•

JACK MORGAN, M-G-M sales manager in Detroit, is in the Highland Park General Hospital there, following a heart attack.

•

ROUBEN MAMOULIAN, director, will be guest of honor and speaker at the luncheon here next Wednesday of the Art Director's Club of New York.

•

HOWARD DIETZ, M-G-M publicity-advertising vice-president, is due here from the Coast on Monday.

•

SAM MARX, M-G-M production executive, will leave Washington today for Chicago and the Coast.

•

H. M. RICHEY, M-G-M exhibitor relations head, returned here from Memphis yesterday.

•

SID BLUMENSTOCK, assistant exploitation manager for 20th Century-Fox, left here last night for Chicago.

•

ISADOR M. RAPPAPORT, owner of the Hippodrome Theatre, Baltimore, is visiting here.

LEON BAMBERGER, RKO Radio sales promotion manager, will return to New York today from Memphis.

•

FRED FEJFAR, M-G-M office manager and head booker at Omaha, has been promoted to salesman. MRS. EVELYN CANNON has succeeded him in the combination post.

•

LEON JAKUBSON has succeeded PHILIP GRAVITZ as M-G-M office manager and head booker in New Haven. GRAVITZ was promoted recently to salesman.

•

FRANK WOLF, formerly associated with National Screen Service and RKO Radio in Boston, has been appointed executive assistant to E. M. LOEW.

•

W. F. ROTH, owner of the Palace Theatre in Gallatin, Tenn., is observing his 35th anniversary in the business.

•

WILLIAM PINE, Paramount producer, will leave Hollywood for New York tomorrow.

•

B. G. KRANZE, Film Classics vice-president and general sales manager, is in Detroit from New York.

•

WALT WOODWARD has been appointed Florida representative for the Wil-Kin Theatre Supply Co., Atlanta.

Equity Raises 1948 E-L Total to Nine

HOLLYWOOD, Oct. 28. — Equity Pictures and associated production unit will produce three more films by the end of the year for Eagle-Lion release, making Equity's E-L total nine for 1948. Three are in current release, two are in cutting rooms and one was just turned over to E-L.

First of the new three, in Cinecolor, will be "Counsellor at Gun Law," second in the Red Ryder series, and is to start soon; the second, "Enchanted Dream," a Vinson production, starts late in November; the third, "Alimony," will be an Orbit production. Harry Thomas is president and Jack Schwartz is vice-president of Equity.

Luncheon for Kurtz

Maurice Kurtz, former head of the theatre section of UNESCO, who was appointed secretary general of the International Theatre Institute at its congress in Prague last summer, will be honor guest today at a luncheon sponsored by the American National Theatre and Academy at the Algonquin Hotel. Kurtz will visit Canada and Mexico as well as several points in the U. S.

Mrs. Elma Albrecht, 48

CLEVELAND, Oct. 28.—Mrs. Elma H. Albrecht, 48, who has been operating a film trucking service serving Ashtabula since the death of her husband last spring, died suddenly early this week. Two sons and two daughters survive.

Baltimore Variety Set For Banquet Nov. 6

BALTIMORE, Oct. 28. — Baltimore's Variety Tent, No. 19, will hold its 10th annual banquet and dance on Nov. 19 at the Sheraton Belvedere Hotel. Gov. Lane of Maryland and Mayor D'Alasandro of this city are among the various city officials and civic leaders who have accepted invitations to attend. Proceeds will go to the Boys' Club, sponsored by the Baltimore police department. Rodney Collier is chairman of the arrangements committee.

Half of Population Soon in Video Area

DETROIT, Oct. 28.—Half the population of the U. S. will be living in areas served by television by the end of 1948, according to Joseph B. Elliott, RCA Victor vice-president, who spoke here at a meeting of the Engineering Society of Detroit, at Rockham Auditorium. He also predicted that the heavy public demand will cause the present television receiver shortage to increase before it can be relieved.

Roach President of New Video Film Unit

HOLLYWOOD, Oct. 28.—The newly formed Television Film Producers Association, in an organizational meeting here today, elected nine members of the board which then elected Hal Roach, Jr., president; Carl Dudley, vice-president; Rudy Vallee, secretary, and Roland Reed, treasurer.

Tedford Is Promoted

PORTLAND, Ore., Oct. 28. — William Tedford of Evergreen Theatres in Oregon has been promoted to assistant to Frank Newman, Jr., Evergreen general manager. Tedford is succeeded in Oregon by Mose Mesher, who returns to a position he held formerly after a sojourn in Southern California.

RADIO CITY MUSIC HALL
ROCKEFELLER CENTER
Greer Garson, Walter Pidgeon
in "JULIA MISBEHAVES"
Peter Elizabeth Cesar
LAWFORD - TAYLOR - ROMERO
A Metro-Goldwyn-Mayer Picture
SPECTACULAR STAGE PRESENTATION

EDWARD G. ROBINSON
GAIL RUSSELL
JOHN LUND in
"Night has a thousand Eyes"
A Paramount Picture
In Person TONY PASTOR And His Orchestra
Plus ROCHELLE & BESSE
NIP NELSON
Extra Added Attraction VIC DAMONE
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

SAMUEL GOLDWYN presents
DANNY KAYE
VIRGINIA MAYO
"A SONG IS BORN"
COLOR BY TECHNICOLOR
Broadway at 45th Street ASTOR Cont. from 8:45 AM Midnight Show

J. Arthur Rank presents
"THE RED SHOES"
Color by Technicolor
BIJOU THEATER, West of Broadway
All Seats Reserved, Mail Orders
Twice Daily
Extra Matinees Saturday and Sunday
Late Show Saturday Evening 11:30
An EAGLE LION FILM Release

"One Touch of Venus"
starring
ROBERT WALKER
AVA GARDNER
DICK HAYMES
IN PERSON
JEAN SABLON
Extra! BETTY BRUCE
Special! DICK & GENE WESSON
Extra Special! TED STRAETER and Orch.
Doors Open 10 A.M. CAPITOL 8'way & 51st St.

FIRST TIME AT REGULAR PRICES!
RKO PRESENTS
"MOURNING BECOMES ELECTRA"
Brandt's MAYFAIR 7thAve. & 47th St.

JEANNE CRAIN WILLIAM HOLDEN
Edmund Gwenn
'APARTMENT FOR PEGGY'
Twentieth Century-Fox Picture
Color by Technicolor
ON VARIETY STAGE — KAY THOMPSON AND WILLIAMS BROS. — ROLLY ROLLS ON ICE STAGE — RHYTHM IN PLAID
ROXY 7th Ave. & 50th St.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

The INSIDE STORY of how

A HIT IS BORN



HOLLYWOOD is saying that Producer Charles Brackett's "Lost Weekend" Oscar is going to crack his bronze laughing at the top-Brackett comedy, "MISS TATLOCK'S MILLIONS." Even before release, Paramount knows Hollywood's excitement is shared by the rest of the country, for we've put "MISS TATLOCK'S MILLIONS" thru more tests than a new king-size cigarette and all this exhaustive testing proves that *everybody* laughs to exhaustion.....

The men who know the boxoffice best—the exhibitors who attended the trade show—set the gale going. The first coast preview audience all but wrecked the electronic graph-fader with 365 roars registered in 100 minutes. But instead of limiting the proof to one theatre preview, we held 32, right across the nation in every key spot, and the comment cards stacked up 98.4% praise which we believe comes pretty close to a record.





There isn't space here to detail every report—but the projectionist in Cleveland increased sound-volume to maximum to make the dialogue audible.

The house staff in New Orleans asked to have the picture run again after closing so they could sit down and enjoy it—and the management obliged.

In Memphis the raves hit 100% in the most amazing reaction since "Dear Ruth."

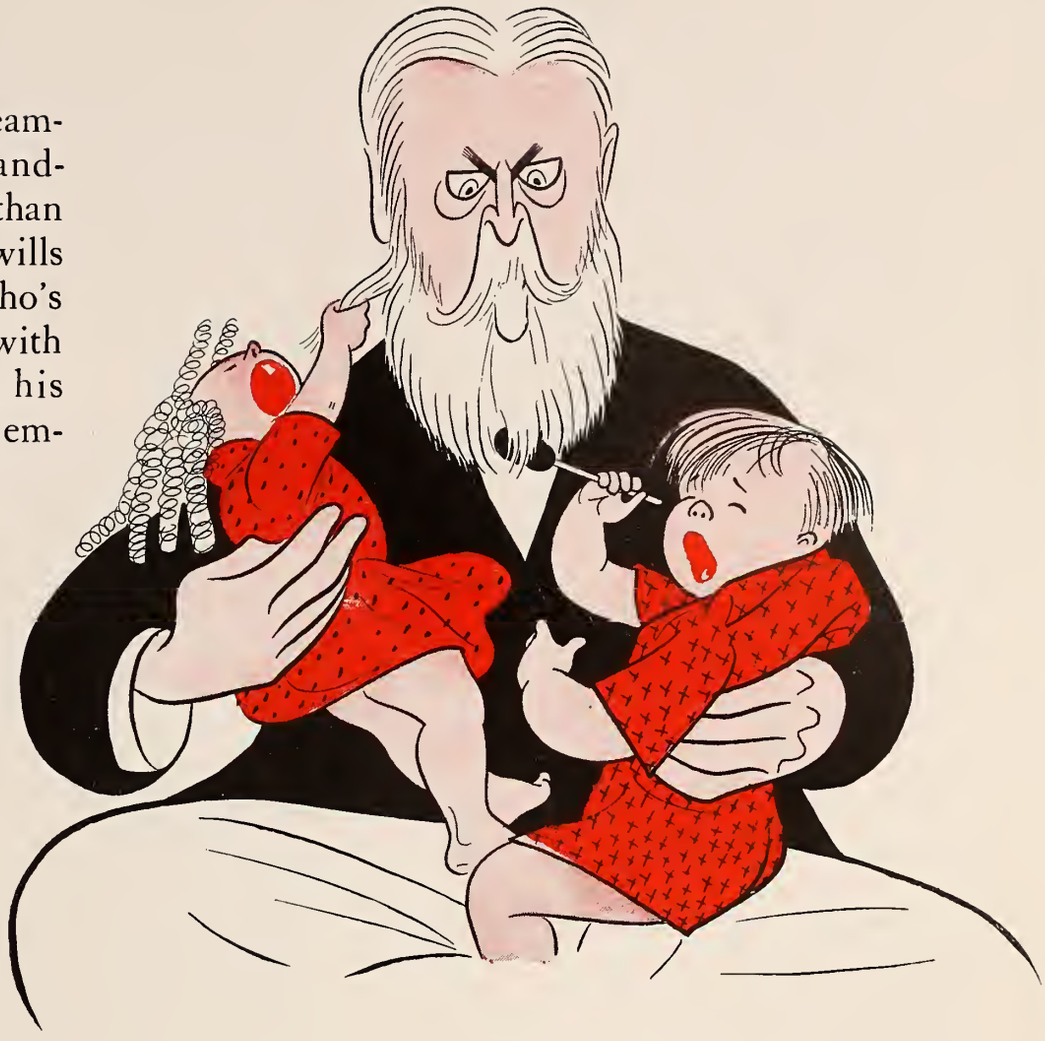
Everywhere from Boston to San Francisco audience comments like "Best picture I've seen in years"—"Wonderful entertainment"—"Best of '48" poured in, confirming Variety's sage observation that "slapstick is having its day" with a laugh-hungry public.



The trade-press got a first look at "MISS TATLOCK'S MILLIONS" and William Wilkerson, publisher of the Hollywood Reporter, wired: "I don't remember ever having seen a comedy that hit with such laughs." Magazine critics saw it and Modern Screen went immediately on record that it's "the comedy that's got everything."



It's the story of a streamlined Cinderella whose grandfather banks more gold-dust than is buried at Fort Knox—and wills it all to her nit-wit brother who's been shipped off to Hawaii with Barry Fitzgerald, hired as his guardian-angel so he won't embarrass his swanky relatives.







When Barry hears all the pennies from heaven that are falling back home, he planes in from Waikiki and hires a Hollywood stunt-man to pose as the Tatlock heir and Cinderella's brother. You guessed it—Cindie and the imposter hit it off like something hotter than a brother-and-sister act.

The Great Impersonation is pulled by John Lund in the big, juicy role that takes him to the very top after that romantic performance in "A Foreign Affair." The gal of his dreams—and yours—is Wanda Hendrix who from now on gets that first-row marquee spot you recognized she earned when she "rode the pink horse."



Pre-tested by Paramount's Bureau of Boxoffice Standards, it all comes out 100% unadulterated ENTERTAINMENT... not a molecule of "message"... not a thing but the laughter the public is after.



JOHN LUND
WANDA HENDRIX
BARRY FITZGERALD
MONTY WOOLLEY

"Miss Tatlock's Millions"

with
ILKA CHASE
ROBERT STACK
DOROTHY STICKNEY
ELIZABETH PATTERSON

Produced by
CHARLES BRACKETT
Directed by
RICHARD HAYDN

Screenplay by Charles Brackett and Richard L. Breen · Suggested by a play by Jacques Deval

The Thanksgiving Fun-Feast in

Paramount's Autumn Harvest of Hits

"Sorry, Wrong Number"
"Night Has A Thousand Eyes"
"Isn't It Romantic"—"Sealed Verdict"
"Miss Tatlock's Millions"—"The Paleface"

PRINTED IN U.S.A.

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

BALTIMORE

Business is just above average. Openings were strong and provided a substantial start, but bad weather for most of the weekend cut down those gains. Estimated receipts for the week ended Oct. 28:

APARTMENT FOR PEGGY (20th-Fox)—NEW (1,800) (29c-40c-50c-54c) 3rd week. Gross: $9,000. (Average: $12,250)
GUNG HO (FC)—MAYFAIR (1,000) (21c-29c-54c). Gross: $6,500. (Average: $5,000)
HENRY V. (UA) — LITTLE (328) (50c-75c-$1.00) Return engagement. Gross: $4,500. (Average at regular prices of 29c-37c-56c: $3,000)
HOLLOW TRIUMPH (EL) — HIPPODROME (2,204) (29c-37c-50c-58c) With a stage show. Gross: $19,250. (Average: $17,000)
AN INNOCENT AFFAIR (UA) — CENTURY (3,000) (29c-37c-45c-54c). Gross: $17,000. (Average: $14,500)
JOHNNY BELINDA (WB) — STANLEY (3,280) (29c-37c-50c-58c) 2nd week. Gross: $13,500. (Average: $14,500)
NIGHT HAS A THOUSAND EYES (Para.)—KEITH'S (2,404) (25c-37c-44c-54c). Gross: $10,000. (Average: $12,500)
THE SECRET LAND (M-G-M)—VALENCIA (1,466) (29c-37c-45c-54c). Gross: $6,500. (Average: $5,000)
THE VELVET TOUCH (RKO Radio)—TOWN (1,450) (29c-37c-50c-56c) Gross: $12,500. (Average, $11,000)

CINCINNATI

The attendance curve, with a few exceptions, continues downward, although "Sorry, Wrong Number," still is doing plus-average business in its third week at Keith's. Estimated receipts for the week ended Oct. 26:

APARTMENT FOR PEGGY (20th-Fox)—RKO ALBEE (3,300) (50c-55c-60c-65c-70c-75c). Gross: $16,500. (Average: $15,000)
FOREVER AMBER (20th-Fox) — RKO GRAND (1,500) (50c-55c-60c-65c-70c-75c) 9 days. Gross: $9,000. (Average for 7 days: $8,000)
NIGHT HAS A THOUSAND EYES (Para.)—RKO PALACE (2,700) (50c-55c-60c-65c-70c-75c). Gross: $11,000. (Average: $15,000)
ROPE (WB)—RKO SHUBERT (2,150) (50c-55c-60c-65c-70c-75c) 2nd week, on a moveover from the Albee. Gross: $5,000. (Average: $5,000)
SORRY, WRONG NUMBER (Para.)—KEITH'S (1,500) (50c-55c-60c-65c-75c) 3rd week. Gross: $9,000. (Average: $7,500)
A SOUTHERN YANKEE (M-G-M)—RKO CAPITOL (2,000) (50c-55c-60c-65c-70c-75c) 3rd week. Gross: $6,500. (Average: $10,000)
THE TIME OF YOUR LIFE (UA)—RKO LYRIC (1,400) (50c-55c-60c-65c-70c-75c) 4 days, 2nd week, on a moveover from the Palace, and **BLOOD AND SAND (20th-Fox reissue)** (50c-55c-60c-65c-70c-75c), 3 days, dualed with **I WAKE UP SCREAMING (20th-Fox reissue).** Combined gross: $5,000. (Average for 7 days: $5,000)

10c Admission for All

OTTAWA, Oct. 28.—Admission prices for both children and adults have been cut to 10 cents, including tax, for daily matinees until 5:30 P.M. by the Rialto Theatre.

DOUGLAS 4-ENGINES
FLY OVERNITE TO CALIFORNIA
COAST TO COAST $88 PLUS TAX
DC-4 • 12 HOURS
Skycruises inc.
CALL BRYANT 9-3707
108 W. 43rd St. Hotel Diplomat

Reviews

"The Strange Mrs. Crane"

(Eagle-Lion)

THAT old fictional device known as the long arm of coincidence oft-times is called upon to substitute for imaginative plot development in "The Strange Mrs. Crane," a mediocre little melodrama that figures to fit in where the program responsibility is not too great.

The yarn is about a gubernatorial candidate's wife who slays her erstwhile confederate in the rackets in an attempt to cover up her shady past. By way of explaining that introductory statement about coincidence and how far one can stretch it before it is left dangling, one part of the story has the murderess appointed foreman of a jury at the trial of a falsely-accused "other woman." Marjorie Lord, Robert Shayne, Pierre Watkin and James Seay are the top performers in the John Sutherland production. Sherman Scott directed Al Martin's screenplay, taken from an original story by Frank Burt and Robert Libott.

Running time, 60 minutes. General audience classification. Release date, not set. GENE ARNEEL

"Inner Sanctum"

(Film Classics)

WITHIN the formula framework, "Inner Sanctum" unfolds an adequate melodrama. By way of a minor novel touch, the story opens with a clairvoyant foretelling the dire fate to befall one of the pivotal characters. The remainder of the footage depicts the events in advance of their happening. Samuel Rheiner and Walter Shenson who produced, cast Charles Russell, Mary Beth Hughes and Lee Patrick. While the story is by no means a work of craftsmanship, it does manage to drum up scattered moments of excitement. James Todd Gollard's original screenplay has a girl getting killed during a scuffle with a boy friend, Russell, who is about to run out on her. Russell then dumps the body onto a train. The remainder of the picture shows Russell's attempts to escape the net of police and his conscience. Freedom might have been easy for him were it not for the fact that a neighborhood youngster saw him deposit the body on the train. In the slow, coincidence-laden turn of events that follow, Russell finds himself stranded in a boarding house because of a flood. And, as the script has it, the knowing kid happens to live there, along with others, including Miss Hughes. For a time it seems Russell has fallen in love with Miss Hughes, but he is pressed by the necessity of removing the kid. Therein lies his downfall. He finally surrenders to the police. Richard B. Morros was executive producer for M.R.S. Pictures; Lew Landers directed.

Running time, 62 minutes. Adult audience classification. For October release. MANDEL HERBSTMAN

"Disaster"

(Pine-Thomas-Paramount) *Hollywood, Oct. 28*

A FULL MEASURE of the kind of action to be expected of this type of Pine-Thomas production motivates "Disaster," the story of which is a simple tale, although an interesting one, all making for good entertainment.

Performances are standard throughout with Will Wright as "Pop" outstanding, Richard Denning and Trudy Marshall. William Pine directed, mixing action and dialogue satisfactorily. Thomas Ahearn wrote the screenplay.

Denning, a former steel worker, is framed to make it appear that he killed his foreman on the job. He is on the run from the police and hides on scaffolding mounted high on the outside of a church. There he meets Wright, owner of a small reconstruction firm. The old man, impressed by Denning, gives him a job.

Denning learns how to be a steeplejack, but has a tough time because his teacher, another employee, James Millican, is in love with Trudy, Wright's daughter. The girl, of course, has fallen in love with Denning. Dick tells Wright why he is running from the police and that he is trying to find the man who framed him. Several times detective O'Flynn almost catches up with him. When a plane crashes into a building and Wright is pinned under a steel beam, Denning risks his life and arrest to save him. In the end, of course, the real murderer is exposed.

Running time, 60 minutes. General audience classification. Release date, Dec. 3.

"The Angry God"

(Edward Peskay-United Artists)

LITERALLY and figuratively embellished with color, this legendary tale of Mexican Indians in the panoramic setting of a travelogue nature, has much to recommend it visually, with its all-native cast performing their ancient dances in bright costumes, other deficiencies to the contrary, including the otherwise obviously untrained cast and disconnected dubbed music and English dialogue.

The story, adapted from the *Good Housekeeping* magazine story by Emma-Lindsay Squier concerns the legend of a God who sought the love of an Indian girl and brought near destruction on her and her people when she spurned him. Alicia Parla, the heroine, is beautiful.

Director Van Campen Heilner has not given the film sufficient pace, and the lengthy narrative adds to the travelogue effect. The color, while excellent in the close-ups, is frequently blurred in distant shots, generally lacking adequate contrast. Edward Peskay produced.

Running time, 57 minutes. General audience classification. Release date, Oct. 19.

45 from Columbia

(*Continued from page* 1)

ring Red Skelton and Janet Blair, and "Walk A Crooked Mile," another Edward Small production, starring Louis Hayward and Dennis O'Keefe.

Planned for early release are "The Man From Colorado," Technicolor film starring Glenn Ford and William Holden; "The Return of October," in Technicolor, starring Glenn Ford and Terry Moore; "The Gallant Blade," in Cinecolor, starring Larry Parks and Marguerite Chapman.

Eight in Production

In production are: "Knock on Any Door," Santana production starring Humphrey Bogart, in an adaptation of Willard Motley's novel; "Rough Sketch," Jennifer Jones, John Garfield and Pedro Armendariz; "The Dark Past," starring William Holden, Nina Foch and Lee J. Cobb; "The Lovers," documentary of prison paroles, starring Cornel Wilde and Patricia Knight; "Mr. Soft Touch," starring Glenn Ford and Evelyn Keyes; "The Undercover Man," starring Glenn Ford and Nina Foch; "Song of India," starring Sabu, Gail Russell and Turhan Bey, and "The Walking Hills," starring Randolph Scott and Ella Raines.

Among those planned for production are "The Big Jump," starring George Raft; "Wild Bill Doolin," starring Randolph Scott, and "Miss Grant Takes Richmond," starring Lucille Ball.

Four Now in Release

Included in the already released group are: "The Untamed Breed," Cinecolor Western starring Sonny Tufts, Barbara Britton and George (Gabby) Hayes; "Coroner Creek," another Cinecolor Western, starring Randolph Scott and Marguerite Chapman; "The Black Arrow," starring Louis Hayward and Janet Blair, and "Lulu Belle," Benedict Bogeaus production starring Dorothy Lamour and George Montgomery.

Also in the Columbia picture are "Superman," serial currently in release; two Gene Autry productions; two Roy Acuff Westerns; eight "Durango Kid" Westerns with Charles Starrett and Smiley Burnette; four other serials; 60 single reels, 24 color cartoons and 28 two-reel comedies.

Another Pal Feature

HOLLYWOOD, Oct. 28.—Well along with his forthcoming Technicolor feature for United Artists release, "The Adventures of Tom Thumb," producer George Pal has assigned staffers to begin development of a live action-animation version of another fairy tale, "Rumpelstiltskin," to be developed from the public domain plot. It will probably follow "Tom Thumb" on Pal's UA schedule.



MEMBER FEDERAL DEPOSIT INSURANCE CORPORATION

6 Films Finished And 6 Are Started

HOLLYWOOD, Oct. 28.—The production tally remained at last week's figure of 31. Six films were launched, while an equal number wound up.

Shooting started on "The Devil's Henchmen," Columbia; "Sheriff of Wichita," Republic; "Stagecoach Kid," "Roseanna McCoy" (Goldwyn), RKO Radio; "Triple Threat" (Belsam), 20th Century-Fox; "This Side of the Law," Warner.

Shooting finished on "When a Man's a Man" (Windsor), Allied Artists; "Laramie," Columbia; "A Mask for Lucretia," Paramount; "The Clay Pigeon," RKO Radio; "Son of a Gunman" (Western Adventure), Screen Guild; "Too Late for Tears" (Stromberg), United Artists.

NY Case Not Usable

(*Continued from page* 1)

ley. Then he attacked the argument that the action was an equity action to dissolve a joint venture which the Supreme Court had found unlawful. In his latest brief, he attacks K-B's argument that the suit is brought under the Clayton Act to prevent threatened damage from a violation of the anti-trust laws.

The Clayton Act provides, Amram argued, that a final judgment in an anti-trust suit brought by the Government can be cited as *prima facie* evidence against a defendant in an anti-trust suit brought by a private party.

"Plaintiffs cannot claim any comfort from this section," he continued, "because, as we pointed out in our original brief, there is no final judgment in the Paramount case." Judge Leibell's ruling in the Fifth and Walnut case was cited in support of this argument.

If this is true, the brief said, K-B must not only prove injury to itself but must prove that Warner violated the anti-trust laws.

Amram pointed out that K-B cited the Goldman and Bigelow cases to support its position. "This isn't a Goldman or Bigelow case," he said. "In those cases, the plaintiffs independently pleaded and proved anti-trust violations by the defendants therein. They placed no reliance on the Paramount case. They stood on their own."

Warner has moved to dismiss the suit, and K-B has countered with a motion for summary judgment. Argument on the motions has been postponed twice now, and is now set tentatively for next Thursday.

Majors Huddle

(*Continued from page* 1)

ahead on strategy to be followed in pressing the case through the courts, this being their primary concern at this time, so as to be in readiness when and if total and final collapse of decree negotiations with the Government becomes evident. The hearings are scheduled to resume in New York Federal court on Nov. 8. None of the divestiture plans thus far presented to the Justice Department has been approved, although RKO's is farthest advanced.

Yesterday's meeting was held in the office of John W. Davis, special Loew's counsel and was attended by top-ranking attorneys for Paramount, Loew's, 20th Century-Fox and Warners.

KATO Meeting

(*Continued from page* 1)

by KATO general counsel Henry Stites who discussed clearance problems. Another speaker was Ted R. Gamble, Theatre Owners of America board chairman, who presented the program and activities of TOA with special emphasis on its public relations program, Ascap, and "Youth Month."

Cincinnati exhibitor Willis Vance discussed Cryptix, his new ticket numbering code system which the State Tax Commission has accepted but which the Federal Government says is contrary to regulations. Later the KATO board passed a resolution endorsing Cryptix, and the document, along with others, will be submitted by Vance to Washington.

Gael Sullivan, TOA executive director, told the gathering that the industry "can bear the brunt of the battle of ideas" gripping the world today "and become an eternal blessing for mankind, but it means thinking anew and acting anew." Sullivan said the "dog eat dog philosophy of profits must end."

Guthrie Crowe, chairman of the meeting, presented a strong plea in behalf of the Will Rogers Memorial Hospital campaign. Neil Dalton, public relations director of the Louisville *Courier-Journal and Times,* and chairman of the Kentucky National Foundation for Infantile Paralysis, spoke in behalf of the March of Dimes drive.

TOA Meets Today

(*Continued from page* 1)

creased membership, and other matters.

TOA president Arthur H. Lockwood will preside at the meeting.

Also scheduled to attend are: board chairman Ted R. Gamble, executive committee chairman S. H. Fabian, finance committee chairman J. J. O'Leary, executive director Gael Sullivan, and Robert W. Coyne, Leonard H. Goldenson, Lewen Pizor, Harry Loewenstein, general counsel Herman Levy, assistant executive director Stanley W. Prenosil, and TOA aide Sylvia Raskin. National Theatres executive Dan Michalove will represent TOA treasurer Charles Skouras.

Gulf States Allied

(*Continued from page* 1)

division sales manager; Paul Wilson, assistant division manager; Mark Sheridan, New Orleans branch manager, and Sam Shain, director of trade relations.

W. A. Prewitt, Jr., Gulf States Allied president, said following the meeting, "The plan in general has many fine points and merits the consideration of all exhibitors in our area."

Gulf States Allied members named to the conciliation board are: Abe Berenson, Prewitt and Nick Lamantia. Alternates are: S. G. Prat, Jr, Doyle Maynard and Lyle Sheill.

Sheridan was given full authority by Smith to act in accordance with future findings of the local conciliation board.

Phila. MPA Elects

PHILADELPHIA, Oct. 28. — William Doyle of Universal has been elected president of the local Motion Picture Associates, with Jack Bergin, Paramount, as vice-president; George Hutcheon, Warners, as treasurer, and Moses Leo Koppelman, National Screen Service, secretary.

Schwartz Chairman

(*Continued from page* 1)

$12,250,000 for the previous year. The Federation is the overall fund raiser for some 116 affiliated institutions. Other speakers at the luncheon, stressing the urgency of the drive, were Schwartz, Fabian, Malcolm Kingsberg and Ralph Samuel, Federation president. Various committees were announced at the luncheon and chairmen named. An industry windup luncheon will be held at the Hotel Astor here on Dec. 14. There will be several committee meetings next week, including the executive and special gifts committees on Monday; vendors and company chairmen committees, Wednesday; exhibitors' committee, Thursday.

Among others present at the luncheon were: Sol Schwartz, Solomon Strausberg, George Skouras, Jack Schneider, A. Schneider, Irving Greenfield, Ben Fielding, Irving Caesar, Harry Brandt, Walter Reade, Jr., Samuel Rinzler, Edward Rugoff, Leslie Schwartz, Max Seligman, Leonard Goldenson, Arthur Israel, Charles Boasberg, George Dembow, John Murphy, Edward Fabian, Manny Frisch, Nat Furst, Philip Harling, William Klein.

Offers Display

(*Continued from page* 1)

the sets and shoot the films" in Hollywood.

"The company," the Wade Nelson brochure states, "was established to fill a growing need by business for greater participation in the advertising benefits which the screen affords—benefits not only for the manufacturer but the writer and producer as well."

It asserts that Wade Nelson's "associates include former motion picture executives with a total of 83 years of experience in the film industry. We know their (Hollywood's) needs and how to fill them," the brochure declares.

"In compensation for his efforts," it continues, "the manufacturer gets his product on the screen, obtaining millions of favorable 'sight impressions' at relatively small cost. Screen sight-impression advertising is particularly advantageous to large, long-established companies whose trademarks have become a part of the American Scene."

The brochure also reminds that television, too, offers manufacturers "unlimited opportunities" for sight-impression advertising and assures its readers that Wade Nelson "is in constant touch with this promising new field."

Westrex Sets Parley On Foreign Markets

Consideration of the motion picture industry abroad, the world market situation and equipment development planning will be the subjects of a conference which will convene here on Nov. 12 among 18 managers of Western Electric branch offices abroad and home office officials of Westrex. The meetings will last through Nov. 24.

Drive-In for Community

DETROIT, Oct. 28.—Construction has been started on a new 1,100-car drive-in theatre to be built here at an approximate cost of $300,000, by Adolph and Irving Goldberg and Charles Komer of Community Theatres, which operates 12 city and suburban houses here.

Short Subjects

"America's New Air Power"

(*March of Time-20th Century-Fox*)

March of Time's special gift for coming up with subjects of timeliness and urgency is again demonstrated in this latest release. In dramatic and informative fashion, it reveals what the air force is doing to keep the U.S. secure. Many questions about new planes and the men who fly them are answered. The subject also introduces the officers who direct the air defense, and climaxes with glimpses of the highly-specialized training of the men who pilot the new jets. The subject is one with wide appeal. Running time, 17 min.

"Who's Delinquent?"

(*This Is America—RKO Pathe*)

With teen-age delinquency one of America's disturbing problems, This Is America comes up with a timely and constructive subject in "Who's Delinquent?" The subject uses the technique of having a small-town editor assign his staff to an investigation of delinquency. They find that the problem usually begins at home but that society bears a responsibility. Among other causes are slums, overcrowded schools and insufficient playgrounds. The subject ends with the townspeople meeting and taking steps to solve the problem. Running time 16 minutes.

Deadline in PRC Suit

Federal Judge Murray Hulbert yesterday ordered Adriano Peccio, president of Producers Releasing Corp. of Cuba, to appear in U. S. District Court here on Nov. 8 for examination before trial in connection with a breach of contract suit brought against PRC, former distributors. If Peccio, who failed to appear previously when examination dates were set, does not appear on Nov. 8, the Cuban company's complaint against PRC will be dismissed, Hulbert ruled. Damages of $250,000 are sought for alleged failure to deliver product. Trial will start Dec. 6 if Pecchio appears on Nov. 8 as ordered.

To Discuss Amusements

WASHINGTON, Oct. 28.—Arthur D. Bra, Motion Picture Association of America's community relations director, and Roger Albright, education services director, will represent the MPAA tomorrow at an all-day session of the General Federation of Women's Clubs on amusement for children. Motion pictures, radio, books and comics will be discussed.

Circuit Sets Convention

TORONTO, Oct. 28.—Annual convention of 20th Century Theatres, an affiliate of Famous Players Canadian Corp., has been called for Nov. 3, at Toronto, with N. A. Taylor, circuit chief, presiding. The session will be attended by managers of more than 65 theatres in Ontario.

New Post for Mokin

Arthur Mokin, formerly account executive with the Bergman-Jarrett Co., advertising agency, has been appointed director of advertising-publicity of S.O.S. Cinema Supply Corp., New York.

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64. NO. 85 NEW YORK, U.S.A., MONDAY, NOVEMBER 1, 1948 TEN CENTS

44TH ST., 21ST FL. K, N. Y.

TOA to Test Conciliation For 60 Days

Non-Members Invited to Join Three-Step Program

Theatre Owners of America will try exhibitor-distributor conciliation on a 60-day experimental basis, it was announced here jointly on Friday by TOA president Arthur H. Lockwood and executive committee chairman S. H. Fabian, following a closed meeting of the TOA executive committee.

The TOA heads explained that all state and regional units will receive at once from the national organization a recommendation that conciliation committees be formed in their respective areas, "in the hope of making a sincere, firm effort to check the ever-mounting number of suits that are strangling the industry."

The plan is for a local committee to have as members a TOA member, a member of any other local exhibitor association and, if possible, an unat-

(*Continued on page 6*)

2 Australia Quotas Loom, 1 to Aid UK

Two film quota statutes are due to be adopted by the Australian government before next spring, according to reports reaching here at the weekend from Sydney. One will require that Australian theatres devote three per cent of their playing time to Australian-made product, and the other will guarantee 15 per cent of the playing time for British product.

Thackrey-WB Deal Is Upheld by FCC

Washington, Oct. 31.—Federal Communications Commission ruled on Friday that New York publisher Dorothy Thackrey may sell her Los Angeles television station, KLAC-TV, and radio stations KLAC, Los Angeles, and KYA, San Francisco, to Warners in a single package. Ed Pauley, seeking to compete for the video station, had challenged her right to sell the three for $1,045,000 without stating individual prices for the three properties.

Schine Will Attack US Proposals Today

BUFFALO, Oct. 31.—First formal objections to the Government's proposed order stripping the Schine circuit of all but two of its theatres are expected to be presented in U. S. District Court here tomorrow by Schine counsel at a court hearing on a Government motion for more information from Schine.

Willard S. McKay, special attorney for the circuit, is understood to be ready to deliver a strong oral attack upon the Government's sweeping proposals in the course of argument against the motion. Schine has yet to file a brief answering the Government's recommendations.

3 Warner Brothers In WB Stock Deals

WASHINGTON, Oct. 31.—Changes in the holding of Warner Brothers common stock by Albert, Jack and Harry Warner headed the list of stock trading by company officers and directors in motion picture stocks, a Securities and Exchange Commission report reveals. The report covers the period from Sept. 11 to Oct. 10.

Albert Warner bought 1,000 shares of his firm's common, bringing his holdings to 436,200, in addition to trust holdings of 21,000 shares. Harry M. Warner gave away 1,200 shares, dropping his personal holdings to 283,150 shares. There are 16,000 shares in his trust account. Jack Warner bought 10,000 shares, but gave 1,500 shares to the United Jewish Welfare Fund, making a net increase of 8,500 in his personal holdings, which now total 426,500 shares. His trust owns 21,500 shares.

At RKO, N. Peter Rathvon continued to dispose of his stock, selling another 400 shares and dropping his

(*Continued on page 6*)

FP-C in Move for Theatre Television

OTTAWA, Oct. 31.—Applying to Canadian Broadcasting for permission to establish a television station, which would be the first in Canada, J. J. Fitzgibbons, president of Famous Players-Canadian Corp., said his company would hook up its television outlet with the Imperial Theatre in Toronto, and show telecast shows on its screen with the Victoria Theatre being used to stage "live" talent shows for television.

He estimated the company will spend about $2,000,000 before its tele-

(*Continued on page 6*)

R-K-O APPROVES DIVESTING PLAN

Odlum Off, Hughes On RKO Board

HOLLYWOOD, Oct. 31.—The Radio-Keith-Orpheum board of directors at its meeting here yesterday accepted the resignation of chairman Floyd B. Odlum, Harry M. Durning and L. Boyd Hatch, each of whom is a director of Atlas Corp.

To fill two of the vacancies made by the resignations, Howard Hughes and Noah Dietrich were elected to the board. The chairmanship of the board, made vacant by Odlum's resignation, was not filled at the weekend meeting.

The resigning directors stated the reason for their resignations was to avoid any possible conflict between their duties to Atlas and their desire

(*Continued on page 3*)

Nine More Hearings In FTC Ad-film Case

WASHINGTON, Oct. 31..—The Federal Trade Commission has scheduled hearings in nine more cities on its complaints against four advertising film companies alleging "unfair methods of competition tending to restrain trade and create monopoly in the sale of commercial advertising films."

The FTC has been taking testimony in the case intermittently for more than a year. Defendants are: Ray-Bell Films, St. Paul; Alexander Film Co., Colorado Springs; United Film Ad Service, Kansas City; Motion Picture Advertising Service, New Orleans.

The newly-scheduled hearings are: Nov. 8, Minneapolis; Nov. 10, Des Moines; Nov. 12, Omaha; Nov. 15, Kansas City; Nov. 16, Chicago; Nov. 22, Dallas; Nov. 24, Houston; Nov. 29, New Orleans; Dec. 2, Atlanta.

Kans.-Missouri Allied Sets Dec. 7 Meeting

KANSAS CITY, Oct. 31.—Discussion of industry problems will be on the agenda of a general membership meeting of Allied Independent Theatre Owners of Kansas and Missouri on Dec. 7 here, it was decided at a board meeting late last week. A delegation of 15, headed by O. F. Sullivan, president of the Kansas-Missouri unit, was named to attend the Allied States national convention in New Orleans.

Court, Stockholders and U. S. Still Must Act on Theatre Divorce Program

HOLLYWOOD, Oct. 31. — Radio-Keith-Orpheum Corp., through Ned Depinet, its president, announced yesterday that the corporation's board of directors has authorized its executives to enter a voluntary agreement with the Department of Justice, subject to approval of the United States Court, whereby its production and distribution properties eventually will be separated from its theatre properties.

The court will be asked to enter a decree which has been tentatively approved by the Department of Justice in the industry anti-trust suit. It would incorporate provisions agree-

(*Continued on page 3*)

Ascap Calls Bid for Payments An Error

A report by Allied Theatre Owners of Indiana in its organization bulletin that Ascap is pressing for music fees from exhibitors by way of suggesting possible infringement action is substantially denied by the society.

"Ascap is now sending out 'pink slips' notifying exhibitors who have not paid their license fees in accordance with their contracts that they may be sued for infringement," the theatre organization reported.

An Ascap spokesman declared here on Friday that the society is not forcing the issue of collection with exhibitors who withhold payments although it conceded that a local Ascap branch might have done so by "error."

Beatty To Manage for E-L; Lee Is Shifted

William J. Heineman, Eagle-Lion distribution vice-president, has appointed J. M. Beatty manager of Des Moines branch, to succeed F. J. Lee. Lee will manage the Eagle-Lion exchange in St. Louis.

No Paper Tomorrow

***Motion Picture Daily* will not be published tomorrow, Election Day, a legal holiday.**

Personal Mention

JOSEPH H. HAZEN, president of Hal Wallis Productions, has returned to New York from Hollywood.

•

ED FAY, will celebrate the 30th anniversary of the Fay Theatre in Providence, R. I., as a combination vaudeville-motion picture theatre, starting Nov. 19.

•

MAURICE A. BERGMAN, Universal-International Eastern advertising-publicity director, has returned to New York from Chicago. He was accompanied by ROBERT UNGERFELD.

•

E. K. (TED) O'SHEA, Paramount sales executive, will leave here tomorrow for Cleveland, Detroit, Cincinnati and Pittsburgh.

•

HERMAN RIPPS, field assistant to M-G-M's Eastern sales manager JOHN P. BYRNE, has returned to Albany from here.

•

GEORGE CUKOR, M-G-M director, left here yesterday by plane for the Coast.

•

FRED ZINNEMAN, M-G-M director, left New York by plane at the weekend for Palestine.

•

BRYAN FOY, Eagle-Lion production executive, left here at the weekend for the Coast.

•

AL HORWITS, U-I Eastern publicity manager, returned to New York at the weekend from Cincinnati.

•

JOHN K. HILLIARD, chief engineer of Altec Lansing, is here from Hollywood.

•

REEVE O. STROCK, Westrex recording manager, has returned here from five months in Europe.

•

SAMUEL BISCHOFF, producer, is due here today from the Coast.

Joins Canadian Circuit

OTTAWA, Oct. 31.—Barney Simmons, formerly of the Marx Theatre in Oshawa, has been appointed manager of the Rideau here, succeeding Don Watts who has been transferred to the Nelson, 20th Century Theatres' newest theatre here. Gilbert White has been promoted to assistant manager of the Nelson after several years on the Elgin staff.

Marcus to Start 3rd

MILWAUKEE, Oct. 31.—Construction of a third drive-in, estimated to cost $250,000, got under way here last week, according to Ben Marcus, general manager of Marcus Theatres Management Co.

•

Issue Stamp Club Paper

Cinema Stamp Collectors *News Reel* has made its bow, a club publication for members, to be issued monthly. Its editor is Allyn H. Wright.

Tradewise . . .

By SHERWIN KANE

REGARDLESS of with what emphasis Atlas Corp. may deny it is interested in bidding for the RKO theatres to be cut loose under Howard Hughes's divestiture plan, it is established that Floyd Odlum has an option to buy the controlling interest in the theatre properties which Hughes will hold when the new company is established.

The story behind the option sounds like Odlum went out the front door and circled the block to reenter by the rear door.

Some 18 months ago when Hughes first evinced interest in the purchase of RKO control from Atlas, so the story goes, it was apparent early in the talks that Hughes's first concern was to own a production-distribution company. He cared nothing whatever about theatre operation.

Thereupon, Malcolm Kingsberg, head of RKO theatre operations, it is said, suggested to Odlum that a separate theatre company be set up, control of which would be retained by Atlas, and the production-distribution company then be sold to Hughes.

•

For some reason, Odlum did not accept the suggestion, but when he closed the deal with Hughes for control of RKO last spring, he obtained an option simultaneously to purchase the Hughes' controlling interest in the new theatre company when it was established. Had he separated the theatres and sold Hughes control of the production-distribution company only, Odlum now would have the theatre company which, by the evidence of his present option, he wants. Now, however, he has no certainty of getting the theatres.

If Odlum's option price is bettered by other bidders, and he fails to meet the higher price, control of the new theatre company will not be his.

•

Incidentally, insiders characterize as "absurd" those recently published reports of $38,000,000 and $40,000,000 bids for control of the new RKO theatre company.

In the first place, there is no company yet in existence for which bids could be made. Bids are not being accepted, nor made, until all the approvals for formation of the company have been given. That would include the RKO stockholders' and the Government's approvals.

Secondly, the probable approximate value of the total assets of the new theatre company will be in the neighborhood of $40,000,000, which will be reflected in the number of new shares to be issued. RKO stockholders will receive one share of stock in the new production-distribution company and one in the new theatre company for each share of the present RKO stock. Thus, the stock in the new theatre company will have the same distribution as RKO stock has presently.

That means that for all practical purposes the shares in the new theatre company to be issued to Hughes will represent control in that company, as well as in the new production-distribution company. They will be about 23 per cent of the total shares outstanding. Accordingly, the bidding will be for the Hughes' holdings in the theatre company and bids are expected to range from $8,000,000 to $10,000,000.

• •

As more and more exhibitor organizations give approval to the plan of conciliation of local trade grievances and disputes which was developed by Andy Smith of 20th Century-Fox and Bennie Berger of North Central Allied, it becomes apparent that across the country there is a genuine exhibitor desire for machinery with which to deal quickly, fairly and on the spot with local grievances and misunderstandings.

It becomes apparent, too, that many exhibitors now believe the Smith-Berger plan can furnish what is wanted.

•

Yet, however widely the plan is adopted, as it now stands, it is an instrument for dealing with the trade problems of but one company—20th-Fox. Its increasing popularity commends it to serious study and consideration by other companies.

Its potentialities are great. It should not be hindered by petty considerations.

If its label is a deterrent, then change the label. Call it the Industry Local Conciliation Plan, or what you will.

Broadened to an industry-wide base, it is certain that neither Smith nor Berger would stand in the way of its re-naming.

Newsreel Parade

THE French labor crisis and U. S. Armed Forces in combined operations are newsreel highlights in current releases. Other items include the story of Ilse Koch, new dress for the Waves and sports.

MOVIETONE NEWS, No. 87—King and Queen of England open Parliament; French coal mine strike. Armed Forces in combined operations. Coal-mining machine. Sweepstake winners. Sweater [illegible]. Football. Roller skating derby. [illegible]atic.

NEWS OF THE DAY, No. 21—Unified Armed Forces in maneuvers. French troops seize mines as riots spread. Britain cheers King opening Parliament. Strange case of Ilse Koch. New wave length for the Waves. Sky mystery solved. Battleship Missouri here. Sweep winners.

PARAMOUNT NEWS, No. 20—French labor crisis; films of the mine strike. Troubled China celebrates Independence Day. Navy goes overboard for new look.

UNIVERSAL NEWS, No. 191—French crisis: coal strike imperils France's industrial existence. Mining machinery. Miss America tours country for "You Gotta Stay Happy." Connie Mack celebrates his birthday. Ilse Koch story. Flying laboratory. Football.

WARNER PATHE NEWS, No. 22—Armed Forces in combined operations. People in the news: Mrs. Roosevelt, King and Queens of Denmark and England, Paul Hoffman in Italy. Troops and miner battle in France.

Sears to Coast to Swap 3 with Hughes

United Artists president Gradwell Sears will leave here for the Coast on Wednesday to put final touches on the long-pending three-picture exchange deal with Howard Hughes. Distribution rights to "The Outlaw," "Mad Wednesday" and "Vendetta" will revert to producer Hughes when an agreement is reached on the three which he is to finance for UA release. Although there is a limit to the amount of financing Hughes is to provide, reportedly $750,000 in second money, the possibility is that the transaction may yield more than three for UA if the "quality" of the product is assured.

Harkness Heads WE Canadian Affiliate

MONTREAL, Oct. 31.—At a meeting of the board of directors of Northern Electric Co., theatre equipment affiliate of Western Electric, held here Paul F. Sise resigned as president and R. Dickson Harkness, a director, was elected president, effective Dec. 1.

Sise, who has held the position of president for 29 years, will be chairman of the N. E. board.

To Fete Westrex Aides

Members of all phases of the motion picture industry have been invited by Westrex vice-president E. S. Gregg to participate in a reception at Cavanagh's Restaurant here on Wednesday evening, Nov. 17, for its 18 foreign managers who have been called in from the field for a series of meetings on the foreign outlook.

Sunday Shows Lose

HARRIMAN, TENN., Oct. 31.—A city referendum on Sunday films has resulted in a majority voting "no" despite the fact that a majority of the city council favored it.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

Coming Events

oday and Tomorrow—Allied Theatre Owners of Texas annual convention, Dallas.
ov. 3 — 20th Century Theatres (Canadian) annual convention, Toronto.
ov. 10 - 11 — Associated Theatre Owners of Indiana annual autumn convention, Hotel Antlers, Indianapolis.
ov. 12 - 13 — West Virginia Theatre Managers Association convention, Terrace-Plaza Hotel, Cincinnati.
ov. 17—Motion Picture Pioneers' ninth annual dinner, Waldorf-Astoria, New York.

R-K-O Approves

(*Continued from page* 1)

ble to both the Department of Justice and to RKO.

The decree is contingent upon the tockholders' approval within 90 days f a plan of reorganization which will reate two new companies, one to hold he RKO theatres and the other to old its production and distribution ssets, both owned by the existing tockholders.

The board approved in principle a ax-free reorganization of RKO heretofore approved by the U. S. Treasury Department. The plan will be submitted to the stockholders shortly.

The agreement which would be nade effective by the judgment and he reorganization is believed by the management of RKO to be for the best interests of the company and its stockholders under all of the present circumstances. The management stated it has no doubt that this arrangement will permit the continued successful operation in a highly competitive market both of the RKO theatres and of the production and distribution companies.

Odlum, Hughes

(*Continued from page* 1)

to see RKO proceed with "this advantageous settlement."

Odlum's resignation at this time is regarded as clearing the way for Atlas to eventually exercise its option to buy Hughes' controlling interest in the new RKO theatre company when it is established. Odlum's withdrawal from the board avoids an interlocking interest which the Government might find objectionable.

11 Reissues to Toddy

Eleven Western reissues have been acquired by Toddy Pictures here for distribution. They are: "Under Western Skies," "Riders of the North," "Law of the Rio Grande," "Sons of the Plains," "A Man's Country," "West of Cheyenne," "Phantom of the Desert," "Westward Bound," "Lonesome Trail," "Code of Honor" and "Beyond the Law."

DOUGLAS 4-ENGINED
FLY OVERNITE TO NEW YORK
COAST TO COAST $88 PLUS TAX
DC-4 • 12 HOURS
Skycruises inc.
CALL BRYANT 9-3707
108 W. 43rd St. Hotel Diplomat

A. P. Issues Story on Quigley's Code Authorship

ASSOCIATED PRESS Newsfeatures released for publication yesterday in member newspapers the following story concerning Martin Quigley's authorship of the industry's Production Code and its subsequent adoption and implementation:

By CYNTHIA LOWRY
AP Newsfeatures Writer

NEW YORK, Oct. 30—(AP).—Eighteen years after the movie industry developed a formal, written conscience, it's now disclosing the author of the self-censorship code.

"I asked to be kept out of it," explained Martin Quigley, film trade journal publisher, in an interview, "because I figured it should not be known as the work of one man; that it should be considered as having spontaneously arisen from the conscience of the industry."

The code, as it was called, was adopted at the time the young film industry was under bitter attack. As the Motion Picture Production Code, specifically drawing the line of what would be banned in picture entertainment, it was immediately accepted. At first it was referred to as the Hays Code, after Will Hays, Moviedom's first czar.

Today Quigley is happy to take his bows for authorship. Recently the Motion Picture Association of America, headed by Eric Johnston, passed a formal resolution "bearing witness" to his contribution, so did the Association of Motion Picture Producers of Hollywood.

The gray-haired, quiet-mannered Quigley also is pleased because "radio, television and even the comics industry are basing their codes on that of motion pictures."

'Free-wheeling Attitude' on Taste

Quigley started in the picture business after he saw "Birth of a Nation," and by 1922 was already concerned with the free-wheeling attitude of film producers in the matter of good taste.

Criticism of movies mounted steadily through the 1920s, heightened by a succession of scandalous episodes in the private lives of film notables.

Quigley, who had been "screaming editorially" for years about the social and moral significance of motion pictures, sat down in the summer of 1929 and drafted a document. In it, he outlined specifically a ban on certain subjects which he felt could, if portrayed, lower moral standards, offend good taste, or encourage sympathy for wrong-doers.

A few months later he worked over his draft with Father Daniel A. Lord, a Jesuit priest of St. Louis, "who always had been interested in the theatre."

Worried Will Hays enthusiastically adopted the document and it was immediately accepted by the industry. However, there were no teeth in the code, at first. That came four years later, after many violations.

Bishops Organized L. of D.

Roman Catholic Bishops organized the Legion of Decency to effect a change in the character of movie fare. Among other activities, they obtained pledges from Church-goers to keep out of movie theatres.

Business dropped off—and the film producers hurriedly organized a special police authority to force compliance with the code. Joseph I. Breen, a former employee of Quigley's, was named chief policeman.

"The Legion of Decency's campaign, you might say, was ended by the existence of the code," Quigley said. "The code is rooted in the objective principles of morality. It's based on the theory of applying the fundamental moral principles of the Ten Commandments to motion pictures. And the Ten Commandments are subscribed to by the principal religious beliefs in the modern world."

The Production Code specifically sets down the ways in which crimes against the law, sex, profanity, religion, national pride and offensive subjects should be handled. It outlaws completely nudity, cursing, vulgarity, obscenities, details of crimes and the use of certain words.

Quigley has seen his code copied all over the world.

"What's more," he said, "it has been pretty amply demonstrated in our own film industry that, aside from moral considerations, the code has been good business."

Mexican Producers Seek Reissue Curb

MEXICO CITY, Oct. 31. — Mexico's film producers are militating for an official curb on exhibition of U. S. reissues here, many of which, they assert, are cutting into their own current product by being shown at first-run admission scales without being identified as reissues.

This competition is a further source of irritation to local producers because several of their costly productions have been box-office failures.

Roth To Serve JDA

Judge Lester William Roth, vice-president of Columbia Pictures, has been named California state chairman of the Joint Defense Appeal, it was announced here at the weekend by JDA headquarters.

'Song Is Born' Music Aids Runyon Drive

Climaxing a year of negotiations with the American Federation of Musicians and top record manufacturers, Samuel Goldwyn announces that an album entitled "Giants of Jazz" will soon be placed on sale, with proceeds going to the Damon Runyon Memorial Fund for cancer research. The AFM has agreed to waive all royalties normally due the union in order to aid the fund, while Capitol Records, RCA Victor, Decca and Columbia will make the album without profit.

Goldwyn has contributed the entire jazz music sound-track of "A Song Is Born" to the project. Featured are Benny Goodman, Tommy Dorsey, Louis Armstrong, Charlie Barnet, Mel Powell, Page Cavanaugh Trio, Golden Gate Quartet, Jeri Sullivan, Benny Carter and Zutty Singleton.

ASC Relations Drive Is Termed a Success

HOLLYWOOD, Oct. 31. — American Society of Cinematographers' public relations program under the direction of Esther Tow to win increased recognition for photographic work in Hollywood films has been declared a "complete success" by Fred W. Jackman, ASC executive vice-president. Pointing out that the program will continue on an intensified basis, Jackman explained the ASC has been seeking closer cooperation with other branches of the industry.

Mexico Expands 16mm.

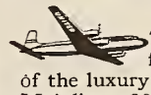
MEXICO CITY, Oct. 31.—Mexico now has 350 theatres exclusively exhibiting 16mm. pictures, 152 of these being in the Far Western area.

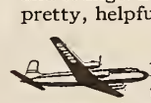


UNITED
Flight Facts


As pilot of United's famous DC-6 Mainliner 300 flight, "the Hollywood," I'm pretty well used to the idea of people crossing the continent in a few hours.


But some of our passengers, upon landing in Los Angeles, often perform what I believe is known as a "double-take." They've seen the schedule: "Lv New York 12 noon, ar Los Angeles 8:45 p.m." But now that it's actually happened, it seems like magic.


The brief hours go fast partly because of the luxury of the great DC-6 Mainliner 300. The air conditioning. The cabin pressurization that means low-altitude comfort at smooth, high levels. The roomy twin compartments and lounge. Delicious meals. And pretty, helpful stewardesses.


But don't forget those four big Wasp engines of mine, revving away so powerfully. They give 300 miles the brush-off while you're playing a game of gin rummy!

E J Eshleman
United Air Lines Pilot on
"the Hollywood"

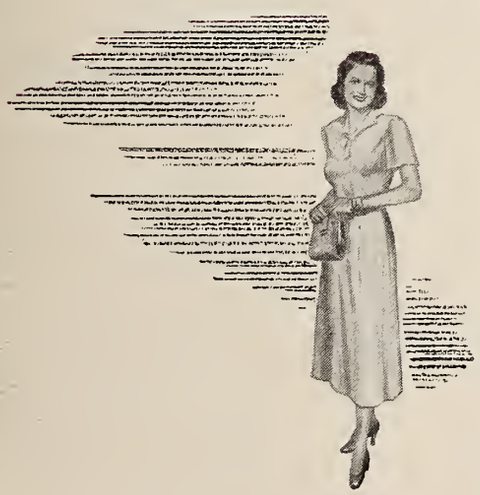

This is the ad that
announced the World Premiere
in New York for the motion
picture that's front page
news everywhere!
20th
CENTURY-FOX

THIS AD SHOULD BE ON THE FRONT PAGE!

The New York Times does not sell display advertising on Page One.

That, quite properly, is reserved for the day's most important events and happenings throughout the world.

Yet, so important in the annals of the screen is "The Snake Pit" that, if we could, we would place this advertisement on the front page so all could see and know...



That "The Snake Pit" inscribes a new chapter in the annals of the screen . . . that it answers a cry born of hate, fear, despair... with the substance of love, courage and faith!

World Premiere **Rivoli Theatre** *November 4th*

Darryl F. Zanuck presents OLIVIA de HAVILLAND in "THE SNAKE PIT" also Starring Mark Stevens & Leo Genn, with Celeste Holm & Glenn Langan. Directed by Anatole Litvak. Produced by Anatole Litvak & Robert Bassler.

20th CENTURY-FOX



Reviews

"Night Time in Nevada"

(*Republic*)

ROY ROGERS again comes through with a palatable Western in Trucolor. In terms of story and treatment there is little that is new in this one, but what associate producer Edward White, director William Witney and scripter Sloan Nibley have turned out is a Rogers starrer that compares favorably with its more successful predecessors and, therefore, spells solid entertainment for Rogers' fans and Western devotees in general.

The story opens with Grant Withers, the villain, blowing up his partner in a gold mine. He steals his friend's gold and also a trust fund left for Adele Mara. Some 16 years later the girl arrives at the scene to look for her trust fund and is stalled off by Withers and his partner, George Carleton. They steal Rogers' cattle from a train to pay Miss Mara, but Withers decides to keep the money.

The cattle-theft is their undoing, for Rogers rejoins the state police and goes after them. While Roy tracks down all available evidence, Withers murders Carleton, making him sole heir to the money. Adele and her girlfriend, Marie Harmon, and Rogers are all reimbursed. The film ends dramatically with Rogers giving Withers a sound beating in the cab of a truck racing down a curving grade.

During the proceedings the Sons of the Pioneers join Rogers in rendering a half dozen Western tunes.

Running time, 67 minutes. General audience classification.

"Million - Dollar Mystery"

(*Eagle-Lion*)

THERE is much to commend this Masque production of a thrilling adventure story which is both interesting and unusual, and well performed by Gene Raymond, Francis Lederer and Stephanie Paull. It was produced by Matty Kemp and directed by Raymond, from an original written by the latter two, with a screenplay by Charles S. Belden.

It all starts with Raymond, a junior partner in a brokerage firm, stealing $1,000,000 of the company's securities to start another life in the Orient. On the plane to Honolulu he meets an attractive widow, Stephanie Paull, who is running away from Francis Lederer because he claims he saw her murder her husband. Lederer gives a good portrayal as a scheming blackmailer.

In Honolulu, Raymond's briefcase, containing the $1,000,000, is stolen by Lederer who flies back to San Francisco. The widow and Raymond then return to the U. S. in an attempt to regain the case. Raymond recovers it and returns the money to the office safe. There is a happy reunion in Honolulu.

Several songs, including "My Destiny," "Where Have You Been?" and "Heaven Is in Blue Hawaii," add to the entertainment value of the picture.

Running time, 73 minutes. General audience classification. Release date, not set.

FP - C Television

(*Continued from page* 1)

vision station begins to show a profit. He said the CBC would be allowed to use the station three hours a week for research and experimental purposes, adding the company would not bar advertisements of films distributed by companies other than Famous Players.

Leonard Brockington, counsel for Odeon Theatres and J. Arthur Rank, urged the board of governors of CBC not to give any theatre exclusive rights to pick up or rebroadcast telecast programs.

Six companies are seeking television station rights in Canada.

WB Stock Deals

(*Continued from page* 1)

total to 13,800. Monogram Southern Exchanges, Inc., Arthur C. Bromberg, president, bought 1,300 shares of Monogram common over the four-month period from May through August, raising its total to 16,672 shares. Bromberg held 1,086 shares.

Republic director Edwin van Pelt bought 1,000 shares of 50-cent par common, increasing his total to 2,600 shares. Robert Lehman bought 100 shares of 20th Century-Fox common to bring his holdings to 2,600 shares. William M. Girden bought 400 shares of Trans-Lux common, for a total of 2,400 shares.

Loew's acquired another 84 shares of Loew's Boston Theatres $25 par common for a total of 123,263 shares.

TOA Conciliation

(*Continued from page* 1)

tached exhibitor. The committee will screen all complaints against any distributor, and if a just cause of complaint is found to exist an attempt will be made at the local level to obtain appropriate relief.

If relief is not obtained at the local level, the issue will be referred to the TOA national office here, and the latter will take up the matter with the distributor involved. TOA national officials, it is stated, "will be pleased to join with any other national association officials who wish to participate in the New York discussions."

May Ask Voluntary Arbitration

If a solution continues to elude the parties involved, voluntary arbitration will be recommended, all in the interest of avoiding litigation, TOA's heads explained, adding that that procedure will be open to all exhibitors whether they are TOA members or not; there will be no cost to any exhibitor. "In the interest of peace and harmony in the industry," Lockwood said, "TOA is willing to go forward with this plan with no charge for use of its manpower and facilities."

The TOA executive committee, which was joined in the meeting by the finance committee, voted to expand the organization's public relations program and termed the program "a success thus far." TOA executive director Gael Sullivan was directed to make further study of various plans offered in connection with the public relations program, but it was the consensus of opinion of the committee that a permanent program should be built around the local exhibitor and made available to all who are willing to cooperate.

Said Lockwood: "The executive committee reaffirmed its oft-expressed policy of trying to bring about unity in the industry. It has authorized me to state that we are ready and willing to meet at any and all times with any other associations and units in the industry to discuss plans or projects in furtherance of this philosophy."

Board Meet in January

The TOA president said the board of directors will meet in Washington in January to act on recommendations made at Friday's joint meeting of the executive and finance committees.

David Wallerstein, Walter Reade, Jr., and M. A. Lightman, Jr., were added to Mitchell Wolfson's TOA television committee, with Wallerstein and Reade joining Wolfson as co-chairmen, Lockwood announced, adding that Sullivan and Wolfson will hold a series of conferences over the next few weeks to study various proposals on video discussed at Friday's meeting.

Ruffin, Zorn, Reade Will Study Complaints vs. NSS

Theatre Owners of America president Arthur Lockwood announced following the TOA executive committee meeting here on Friday that William S. Ruffin, Sr., Edward Zorn, and Walter Reade, Jr., have been named to serve as a committee which will be prepared to act for all exhibitors, regardless of affiliation, who have any unsolved controversy or problems with National Screen Service. Complaints against NSS arose during the recent national convention of TOA in Chicago, and the oganization decided to make a study of such complaints. NSS, meanwhile, has indicated a desire to cooperate with TOA efforts in this connection.

Dr. Gallup To Speak

Dr. George Gallup, director of the Audience Research Institute, will speak at the ninth annual dinner of the Motion Picture Pioneers at the Waldorf-Astoria Hotel here on Nov. 17, it is announced by Jack Cohn, Pioneers president.



Now... de luxe all-sleeper service

New York to Paris

every Friday 4 P. M. EST

Fly on world-proved TWA Constellations. Cocktails, champagne, vintage wines. Filet mignon dinner. Bed-size berths! Hot breakfast! Call TWA or your travel agent.

The only Coast-to-Coast Constellations

TWA

TRANS WORLD AIRLINE

U.S.A. • EUROPE • AFRICA • ASIA

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. XXI. NO. 86 NEW YORK, U.S.A., WEDNESDAY, NOVEMBER 3, 1948 TEN CENTS

Decree Talks Off; 4 Get Set for Trial

Government Demands on Divestiture Too Severe

Negotiations between the Government and four theatre-owning companies on a consent decree in the Paramount case have ceased and probably will not be resumed, a company attorney disclosed here on Monday.

No further decree talks with the Government are scheduled and new court hearings in the case will begin here on Monday.

The decision by Loew's, Paramount, 20th-Fox and Warners to abandon settlement efforts was made following discussions between the Department of Justice and Leonard Goldenson, Paramount vice-president in charge of theatres, on divestiture considerations peculiar to Paramount to be made within the framework of a decree for all four companies. Goldenson's re-

(*Continued on page 4*)

Dewey Victory Will Affect Talks: Clark

WASHINGTON, Nov. 2.—Although confident of a victory for President Truman at the polls, Attorney General Tom Clark indicated on the eve of the election that a victory for Governor Dewey will rob him of a good deal of discretion he had had until now in negotiation with film counsel with a view to out-of-court settlement of the Paramount case.

In effect, Clark said, nothing less advantageous to the Government than the RKO decree can be accepted by the Government. That means that the remaining four defendants in the case

(*Continued on page 4*)

Ten Trust Suits Are Pending in Chicago

CHICAGO, Nov. 2.—Two new anti-trust suits, making a total of 10 now in process in this area, were filed here by attorney Seymour Simon in U. S. District Court.

The first suit, plaintiff of which is the Ridge Theatre, operated by the Bartelstein circuit, seeks to establish for the North side of Chicago what the Jackson Park decree did for the

(*Continued on page 4*)

Bar Goldman Divorce Move

PHILADELPHIA, Nov. 2.—Federal District Judge William H. Kirkpatrick yesterday rejected a plea of William Goldman, independent theatre operator, that Warners and 10 other major producers and distributors be ordered to divest themselves of motion picture theatres in the Philadelphia area.

At the same time, the court also declined to issue an order, requested by Goldman in an alternative order, which would have barred the companies from cross-licensing films, a practice which Goldman charged enabled the companies to block first-run films from his houses.

The decision does not disturb the

(*Continued on page 4*)

Wilcox Coming Here On Reciprocal Deal

Herbert Wilcox, British producer, is enroute to New York on the *Queen Elizabeth*, due here Friday, to discuss a joint production-distribution arrangement with American film interests. The deal presumably would include American distribution for Wilcox's "Courtneys of Curzon Street," "Spring in Park Lane" and "Elizabeth of Ladymead," all of which have been top grossers in the British market.

Anna Neagle, star of the three pictures, is accompanying Wilcox. Michael Wilding, who plays opposite Miss Neagle, was to have accompa-

(*Continued on page 2*)

RKO ALLOWED TO BUY OUT PARTNERS

North Central Allied Attacks COD Action

MINNEAPOLIS, Nov. 2. — A North Central Allied board meeting at the Nicollet Hotel here condemned "revival of the old outlawed" C.O.D. film shipping practice, and blasted Metro's sales policy, which the association charges, is a "brazen scheme to hike film rentals in the face of a dipping box office."

Attaching a C.O.D. for something other than the film involved has been declared illegal in the case of Universal against Frank Woskie (the Parkway, Minneapolis), an NCA statement said, resulting in a resolution at the board meeting condemning the practice.

"If an exhibitor is in desperate straits and is forced to lift the C.O.D.," NCA executive director Stan Kane said, "we advise him to contact our office before returning the film."

U. A. Offers Five for Bidding in Milwaukee

MILWAUKEE, Nov. 2.—United Artists is offering five pictures for individual bidding among first-runs in Milwaukee, including its own partnership, the Towne, it was revealed by Ralph Cramblet, UA Midwest district manager. The pictures are: "The Time of Your Life," "Pitfall," "Innocent Affair," "Urubu" and "Texas, Brooklyn and Heaven."

U. S. Approves Provision Involving 30 Theatres In Settlement Program

WASHINGTON, Nov. 2. — The Government has elected to forego the circuit-smashing divestiture it was seeking in return for quick divorcement, it was obvious today from an examination of the consent decree settlement reached over the weekend with RKO.

At the same time, the company—only one of the "Big Five" to cave in thus far—was ordered to dispose of its interest in 241 theatres held with independents, and either to sell out its stock in 30 more jointly-held houses or to buy out its partners.

These 30 houses could thus be added to the 80 wholly-owned houses which will form a new circuit completely divorced from the RKO production and distribution company, although existing stockholders may hold stock in both companies.

Howard Hughes, who holds 24 per cent of the RKO stock will sell out of one of the two companies within one year.

Independent control and manage-

(*Continued on page 5*)

Activities Will Be Unchanged: Depinet

RKO as a producer-distributor and the theatre company which will emerge from the proposed reorganization of the corporation will continue their "respective operations largely as in the past," there being no reason to believe that the activities of the two companies will change because of any separation, Ned E. Depinet, president, stated here in a special message to employes.

"Fortunately these units have always operated more or less independently," Depinet said. "We have had a picture company and a theatre com-

(*Continued on page 4*)

"The Snake Pit"

[*20th Century-Fox*] — Powerful, Morbid, Shocking

SINCE it deals with a theme never previously handled by so frank an approach, "The Snake Pit" falls into a category of its own. It is easy, and also quite correct, to observe that this is a decidedly uncommon film traveling an unbeaten path endowed with dramatic power and shock impact which few motion pictures, irrespective of source, have attained, or indeed, have sought.

It is this dramatic power and this shock impact, however, which point up serious uncertainties about the future awaiting the film.

From the viewpoint of picture making—the abilities of those assigned the task to deliver their professional maximum, an unswerving fidelity to subject matter, the measure of dramatic authority—"The Snake Pit" rates extraordinarily high. Those associated with its making have a proper demand on acclaim for what they have brought off with the elements given them as working tools. But these elements cannot escape the closest kind of scrutiny.

The subject is insanity. Aside from flashbacks which gradually piece together the shattered fragments of Olivia de Havilland's mind, the

(*Continued on page 4*)

Johnston, Company Heads Meet Nov. 10

Motion Picture Association of America president Eric A. Johnston, company presidents and other top industry executives will meet in New York on Nov. 10 to begin three days of conferences.

Personal Mention

GORDON YOUNGMAN, RKO general counsel, and J. Miller Walker, secretary of RKO, will return here today from the Coast. NED E. DEPINET, president, returned on Monday.

•

JAMES R. GRAINGER, Republic executive vice-president, left here yesterday for Toronto and Montreal. EDWARD L. WALTON, assistant general sales manager, has returned here from Philadelphia. WALTER L. TITUS, JR., division manager, is back here from Atlanta and Charlotte.

•

ALEXANDER SHERMAN, film publicist and consultant to the Norwegian Embassy's information division in Washington, is among 15 American journalists to be awarded the Norwegian Medal of St. Olav for contributions to Norway's cause during the German occupation.

•

JEFF LIVINGSTON, Universal-International "Hamlet" contact, has returned to New York from a 10-day trip to San Francisco and Los Angeles.

•

RUBE JACKTER, assistant general sales manager of Columbia, will leave New York today for New Haven and Boston.

•

JULES LAPIDUS, Eastern and Canadian division sales manager of Warner, left here last night for Pittsburgh.

•

HARRY COHN, Columbia president, is expected in New York this week for a visit of several weeks.

•

ARTHUR KRIM, Eagle-Lion president, has returned to the Coast from New York.

•

HOWARD DIETZ, M-G-M advertising-publicity vice-president, will return here today from Hollywood.

•

EUGEN SHARIN of Ambassador Films returns today by plane to this city from the Coast.

Paramount Group to Studio Conferences

Charles Reagan, Paramount distribution vice-president; Paul Raibourn, vice-president in charge of planning, and Ben Washer, publicity director, will leave here today for studio conferences on promotional campaigns for next year's product. Stanley Shuford, advertising head, already has gone to the Coast for the 10-day meeting, and Rudy Montgelas, president of the Buchanan Agency, which represents Paramount, will leave here tomorrow.

Radio Story of 'Years'

HOLLYWOOD, Nov. 2. — "Hollywood Picture," a one-hour radio dramatization of the story behind the production of Samuel Goldwyn's "The Best Years of Our Lives," will be presented on the CBS network tonight.

Rank Asks U.K. to Halt Denham Strike

LONDON, Nov. 2. — J. Arthur Rank Organization has referred the "unofficial" strike of 1,700 workers at Denham Studios to the British Ministry of Labor through the British Film Producers Association. The strike has continued for five successive days and the workers have given no indication that they intend to return to work notwithstanding a plea to that effect by National Association of Theatrical and Kine Employes officers.

The walkout took place when the studio handed dismissal notices to 92 allegedly superfluous carpenters and other workers. NATKE executive secretary Tom O'Brien deplored the "wildcat" action and urged the workers not to take the law into their own hands "during the most critical period" in the history of the British film industry. "We don't want to do the job of American movie magnates in crippling British production," O'Brien pleaded.

Shortly after the strike got underway, Pinewood studio workers met to decide whether they too would walk out in sympathy with the 92 discharged workers, but such action was voted down by the meeting.

Fred Schwartz Names Drive Co-chairmen

Fred Schwartz, chairman of the amusement division of the Federation of Jewish Philanthropies, announces his executive committee co-chairmen for the industry's drive to raise $400,000, as follows:

Barney Balaban, Harry Brandt, Jack Cohn, Si Fabian, Matthew Fox, Leopold Friedman, Arthur Loew, Charles C. Moskowitz, Herman Robbins, Samuel Schneider, Abe Schneider and Albert Warner. The amusement division's publicity campaign will have Harry Mandel as chairman; serving with him will be Nick John Matsoukas, John A. Cassidy and Ira Morais.

Mary Nolan, Star of Stage and Screen

HOLLYWOOD, Nov. 2.—Mary Nolan, 42, who won fame in films as an actress in the late '20's following an earlier career as a Ziegfeld dancer, died here Sunday. On the stage she was known as Imogene (Bubbles) Wilson.

After leaving Broadway she went to Germany and entered film work which led to her Hollywood career. She married Wallace McCreary in 1931, and besides him, is survived by her sister, Mabel Rondeau and a brother, Ray Robertson.

Wilcox Coming

(Continued from page 1)

nied them but was hospitalized with pleurisy just before sailing.

Sir Arthur Jarratt, managing director of British Lion, distributors in Britain of the Wilcox pictures, also is aboard the *Queen Elizabeth*.

N. Y. 1st-Run Incomes Mild

New York first-runs with few exceptions are experiencing a week of ordinary business. The extra holiday revenue yesterday was a help, of course, but for the most part the overall figure is not too impressive.

"Kiss the Blood Off My Hands" and "June Bride" are two ambitious newcomers, leading the field. "Kiss" is likely to wind up an initial week at the Criterion with a handsome $50,000. "Bride," with Vaughn Monroe on stage, probably will give the Strand a big $75,000 in a first week.

Other new shows are performing less vigorously. "One Touch of Venus," with Jean Sablon and others in person at the Capitol, looks like a fairish $49,000 in a first week. "Hollow Triumph" is mediocre at the Globe where $16,000 is apparent for a first week. At the Gotham, "The Plunderers" is relatively good with $15,000 seen for its first week.

'Musketeers' Ride High

Big one among the holdovers is "The Three Musketeers," at the State, which looks good for a mammoth $78,000 in a second week. "Julia Misbehaves" with a stage presentation at the Music Hall probably will rake in $124,000, which is fair enough for a fourth and final week. "You Gotta Stay Happy" will bow in at the Hall tomorrow. "Hamlet" is still playing to capacity audiences at the Park where the fifth week's take should exceed $17,000. "The Red Shoes" is similarly prosperous at the Bijou where the second week's revenue is estimated at $18,000.

An estimated $33,000 is reported for a second week of "A Song Is Born" at the Astor, showing a nice profit although short of top business for the house. "The Snake Pit" will open at the Rivoli tomorrow succeeding "Gallant Blade" which fell off to a poor $8,500 in a third week.

The Paramount kept its audience informed of election returns yesterday with large-screen television coverage provided by WPIX and by the film company's own cameramen. Other houses made announcements during the day.

Election Spurs Business

The election, of course, was a business stimulant, particularly for first-runs, here and throughout the country.

"Sealed Verdict" had its premiere at the Paramount on Monday night in a benefit performance for the American Veterans Committee. Paramount donated use of the house, the film and the stage show. The theatre's previous tenant, "Night Has a Thousand Eyes," with Vic Damone and others on stage, drew a modest $43,000 in its final five and one-half days of a third week.

"Apartment for Peggy" with Kay Thompson and the Williams Brothers in person at the Roxy should mean a good $85,000 in a third and final week, and will be replaced on Friday by "Unfaithfully Yours." "Road House" will go into the Mayfair on Saturday following "Mourning Becomes Electra" which is slated for $16,000, not too much, in a third week.

Cinema Lodge Is Formed on Coast

HOLLYWOOD, Nov. 2.—Barney Balaban, Nate Blumberg, Henry Ginsberg, Samuel Goldwyn, Albert S. Rogell, Joseph M. Schenck and John M. Stah have formed the Hollywood Cinema Lodge as a new unit of the national B'nai B'rith, with Rogell as president pro-tem.

The Lodge will soon launch a campaign utilizing all media of expression in behalf of a better understanding and tolerance among all peoples. A committee in charge of charter memberships is supervised by Rogell.

RADIO CITY MUSIC HALL
ROCKEFELLER CENTER
Greer Garson, Walter Pidgeon
in "JULIA MISBEHAVES"
Peter Elizabeth Cesar
LAWFORD - TAYLOR - ROMERO
A Metro-Goldwyn-Mayer Picture
SPECTACULAR STAGE PRESENTATION

"SEALED VERDICT"
starring
RAY MILLAND
with FLORENCE MARLY
A Paramount Picture
in Person
FRANKIE LAINE
and CONNIE HAINES
DAVE BARRY
THE CLARK BROTHERS
Extra Added Attraction
JERRY WALD
And His Orchestra
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

SAMUEL GOLDWYN presents
DANNY KAYE
VIRGINIA MAYO
"A SONG IS BORN"
COLOR BY TECHNICOLOR
Broadway at 45th Street
ASTOR
Cont. from 8:45 AM
Midnight Show

J. Arthur Rank presents
"THE RED SHOES"
Color by Technicolor
BIJOU THEATER, 45th Street West of Broadway
All Seats Reserved, Mail Orders
Twice Daily
Extra Matinees Saturday and Sunday
Late Show Saturday Evening 11:30
An EAGLE LION FILM Release

"One Touch of Venus"
starring
ROBERT WALKER
AVA GARDNER
DICK HAYMES
IN PERSON
JEAN SABLON
Extra!
BETTY BRUCE
Special!
DICK & GENE WESSON
Extra Special!
TED STRAETER and Orch.
Doors Open 10 A.M.
CAPITOL
B'way & 51st St.

FIRST TIME AT REGULAR PRICES!
RKO PRESENTS
"MOURNING BECOMES ELECTRA"
Brandt's
MAYFAIR
7th Ave. & 47th St.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urhen Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cahle address, "Quigpuhco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in tbe Americas and $12 foreign; single copies, 10c.

M·G·M's "THREE MUSKETEERS" BIGGEST IN YEARS!



27 YEAR RECORD!

New all-time high at Loew's State, Broadway's De Luxe Show Shop, topping famed "Easter Parade," previous record-holder!

HAPPY THANKSGIVING!

Simultaneous bookings nationwide for the biggest holiday clean-up ever!

TRADE PRESS RIGHT!

"Heavy money picture."—*M. P. Daily.* "Smash hit, has everything."—*Boxoffice.* "Everything a showman's heart could wish for."—*M. P. Herald.* "Top grosser. Standout."—*Exhibitor.* "Smash business."—*Showmen's Trade Review.* "Socko boxoffice right down the line."—*Variety.*

N. Y. PRESS DITTO!

"Big wonderful picture."—*Sun.* "A heaping dish."—*Times.* "Superb example of Hollywood production magnitude."—*Herald Tribune.* "Dumas tale screened in rootin', tootin' style."—*Journal-American.* "Unadulterated entertainment for Broadway film shoppers."—*News.* "Will start the blood racing."—*Mirror.* "Lana Turner lavishes her earthy charms more than ever."—*World-Telegram.*

M-G-M presents Alexandre Dumas' "THE THREE MUSKETEERS" starring LANA TURNER, GENE KELLY, JUNE ALLYSON, VAN HEFLIN, ANGELA LANSBURY, FRANK MORGAN, VINCENT PRICE, KEENAN WYNN, JOHN SUTTON, GIG YOUNG • Color by TECHNICOLOR • Screen Play by Robert Ardrey • Directed by GEORGE SIDNEY • Produced by PANDRO S. BERMAN

CIO Bids Industry Deal With SOPEG

Allan S. Haywood, vice-president and director of organization of CIO, has written to the presidents of Loew's , RKO Radio, 20th Century-Fox, Columbia, Republic, United Artists, Universal, Warner and National Screen, urging that their companies meet with the representatives of United Office and Professional Workers of America "in the interest of good labor relationship" to consummate an agreement, it was reported on Monday by the Screen Office and Professional Employees and Screen Publicists guilds. UOPWA is the guilds' parent union.

The companies have persisted in their refusal to "do business" with SOPEG and SPG because of the unions' failure to comply with the non-Communist affidavit provisions of the Taft-Hartley Law. Haywood points out in his letters that "there is nothing in the law that compels" the companies to require the filing of affidavits by the unions.

Television Council Will Install Dec. 2

Installation of officers at a combined-industry-wide dinner on Dec. 2 here has been set by the National Television Film Council. Presidents of television stations, networks and major film companies will be invited to attend and exchange viewpoints. Officers to be installed are Melvin L. Gold, president; Burt Balaban, vice-president; Robert H. Wormhoudt, secretary; Robert M. Paskow, treasurer. Eleven members of the board of directors will also take over.

Dewey Victory

(*Continued from page* 1)

can look for no decree short of complete divorcement.

No further decree talks were scheduled as of yesterday, according to Government sources, but it was understood that former Secretary of State James Byrnes of 20th Century-Fox counsel plans to confer on the matter with Clark on Friday.



Have YOU tried a SKYBERTH on American's famous DC-6 "MERCURY" flight to LOS ANGELES?

Phone HAvemeyer 6-5000 or your travel agent

Ticket Offices: Airlines Terminal Rockefeller Center • Hotel New Yorker 120 Broadway • Hotel St. George

AMERICAN AIRLINES

"The Snake Pit"

(*Continued from page* 1)

scene is held relentlessly to a mental institution. Through the various stages of cure, Miss de Havilland passes as the patient of a sympathetic doctor, Leo Genn, who eventually makes her well. Since realism is the steadfast keynote, the patient must have shock treatments. Not once is this shown, but a number of times — each time accelerated toward a horrific climax with appropriate music crashing from the screen in a nerve-wracking blending with terrifying screams as the electric current passes through the patient's body. There is the therapeutic bath, another form of treatment, during which the inner recesses of the deranged patient's mind are contorted into visual conceptions of fearful waves about to engulf her. It is not only Miss de Havilland who feels these terrors. The intent obviously was to project them to the audience, and that intent overwhelmingly succeeds.

THE tortured weavings of her mind are shown. She loses all track of time, then regains some of it in fleeting moments of lucidity. To and fro she ranges from complete mental instability to craftiness, cunning, suspicion and helplessness. She is incapable of trusting those who sincerely want to help her, sometimes recognizes Mark Stevens, her husband, and then does not. But through slow progress and exceeding care, the cause of the difficulty is traced to her early years and the way out of her miasma of doubts established. The film ends with Miss de Havilland's recovery.

A performance of such obviously exacting demands easily might have been ludicrous in the wrong hands. Not here, however. Miss de Havilland is dramatically superb in a complex role which must have been physically exhausting. She probes deeply beneath the surface for understanding and interpretation and imparts to her characterization of Virginia Cunningham pity and compassion. Whatever else may be said about "The Snake Pit," it is a personal triumph for her.

In atmosphere and mood, the film of necessity is depressing, yet grips with a form of morbid fascination. It has a curious ability to attract and repel at the one time. While Miss de Havilland and the excellent Leo Genn are mostly in the foreground, there are constantly in the background the asylum, its straitjackets, the women who are the inmates, the disordered manifestations of their diseased minds, the inescapable despair of a world lost.

The problem should be apparent by this time. Now that the film has been made, there must be considered how the public will take it. Entertainment, as traditionally defined and normally accepted in the industry, plays no part —near or far—in "The Snake Pit." It is not what the public is asked to buy, nor accustomed to find in a theatre.

SINCE much has been published recently about mental institutions, it is not remote for an interested element to be attracted. The red-beef-and-raw-liquor group certainly is a potential. Those morbidly bent are another. Those who insist upon realism, unrestricted and exposed, undoubtedly will lend support. In all probability, moreover, "The Snake Pit" will be subject of wide and perhaps even provocative discussion—a circumstance which sometimes sells tickets.

However, these are partial answers at best. The whole answer cannot be provided with assurance. Since this is so, the best of all advice to the exhibitor is that he see this attraction and thereafter arrive at his own balanced conclusion. Experience with "The Lost Weekend" suggests where showmen might look for an approach on how much their audience can take.

"The Snake Pit" is based generally on a best-selling novel by Mary Jane Ward. Frank Partos and Millen Brand prepared an expert screenplay for co-producers Anatole Litvak and Robert Bassler. Within the fixed boundaries of his subject and with all other considerations set entirely aside, Litvak, who also directed, has done a vibrant and commanding piece of work.

Supporting cast values are strong, the chief performers in this classification being Celeste Holm, Glenn Langan, Helen Craig, Leif Erickson, Beulah Bondi, Lee Patrick, Ruth Donnelly, Katherine Locke, Frank Conroy and others.

Running time, 108 minutes. Adult audience classification. Release date, not set.

RED KANN

Ten Chicago Suits

(*Continued from page* 1)

South side, thereby forcing distributors to license films to a greater number of competitive theatres for simultaneous showing. Suit asks to restrain opposition houses, the Uptown and Granada, both operated by Balaban and Katz, from playing ahead of the Ridge and other independent theatres. Defendants are: Paramount, B. and K., Universal, United Artists, Eagle-Lion, Selznick Releasing, Loew, 20th-Fox and Warners. Monetary damages are not asked.

Plaintiff in the second suit is Weldon Allen, operator of the Grove Theatre, at Galesburg, who asks $441,000 treble damages charging monopolistic practices, fixed admission prices and priority first-runs granted to the West and Orpheum theatres in Galesburg, operated by Great States. Defendants are B. and K., Great States, Paramount, Warner and Universal.

Meyers in Tax Business

HOLLYWOOD, Nov. 2. — Alvin P. Meyers, former screen writer who entered the Government's employ in 1936 as assistant chief of the income tax division of the Internal Revenue Bureau, has resigned as head of the Southeast division of IRB to enter private business as tax consultant and accountant. He will be associated with H. Loren Baker. Meyers' last screenplay was M-G-M's "Tennessee Johnson."

$1,500,000 Del Ruth Budget

HOLLYWOOD, Nov. 2.—Joe Kaufman, associate producer for Roy Del Ruth Productions, has announced the acquisition of a modernized adaptation of Frank R. Stockton's 40-year-old short story, "The Lady or the Tiger?," which has been scheduled on Del Ruth's 1949 independent production slate for Allied Artists release. Del Ruth has budgeted it at $1,500,000. It will be made in color.

B. & K. Will Install Theatre Video in Dec.

CHICAGO, Nov. 2.—Plans for the installation of a $30,000 tele-transcription recorder to introduce "live" television shows of the same caliber as those of the Paramount Theatre, New York, have been announced here by John Balaban, head of Balaban and Katz Theatres and director of television station WBKB. The Chicago Theatre is expected to be the outlet in which the new recorder will be installed, probably early in December.

Balaban also disclosed that an advisory planning board has been set up consisting of B. & K. executives.

Decree Talks Off

(*Continued from page* 1)

port on the Government's attitude reportedly made it evident that further talks would serve no purpose. The Government's divestiture demands are regarded as offering nothing that might not be improved upon by trial of the issues.

Meanwhile, the companies are preparing briefs in opposition to the Government's proposed early divestiture of approximately 1,400 theatres with ultimate complete divorcement. They will be presented to the court this week. Collapse of the negotiations means that a move for a new postponement of the hearings, which had been a possibility heretofore, will not be made.

Goldman Plea

(*Continued from page* 1)

original decision made by Judge Kirkpatrick in which he held that films be distributed by competitive bidding and thereby awarded to Goldman a triple-damage verdict of $375,000.

Another phase of the complex litigation instituted by Goldman will be heard tomorrow morning when Judge Kirkpatrick will hear argument on whether defendants may still show their own pictures exclusively in their own theatres.

Depinet to Employees

(*Continued from page* 1)

pany and, with few exceptions, our employes have worked either for one or the other. For that reason the separation to be undertaken will be a relatively simple one."

Depinet said that he expects that the two new units will "grow and prosper" and employes will have "equal if not bigger and better opportunities."

N. J. Conciliation Meet

Board of directors of Allied Theatre Owners of New Jersey met here on Monday with the organization's committee on exhibitor-distributor conciliation to examine the committee's survey of member complaints in accordance with the conciliation plan of Andy W. Smith, Jr., 20th-Fox's general sales manager.

DOUGLAS 4-ENGINED

FLY OVERNITE TO CALIFORNIA

COAST TO COAST $88 PLUS TAX

DC-4 • 12 HOURS

Skycruises inc.

CALL BRYANT 9-3707

108 W. 43rd St. Hotel Diplomat

RKO

(Continued from page 1)

ient for the two companies is assured, although there is nothing to prevent officers of one from holding stock in the other.

Sale to independents of two first-run houses in Cincinnati is required and one in Trenton if RKO should acquire the interest of the Walter Reade Circuit in their jointly-held theatres in that city.

Each of the two companies will be tied up by all the various prohibitions of the Supreme Court, with the RKO distribution company to be bound also by any additional provisions which may be included in a final decree against the "Little Three." The circuit will be bound by the requirement that all future theatre buys are subject to approval by the New York District Court.

Hughes Must Choose

Hughes is the only stockholder who must choose between the two companies, since he is believed to be the only individual to hold as much as one per cent of the RKO stock.

There is nothing in the decree to govern parties to whom the RKO distribution company may sell, or from whom the theatres may buy. This means that the 60 per cent cross-licensing ban asked by the Government for the five-year period in its proposed findings last month will apply only to the remaining four defendants left in the case.

The agreement regarding specific theatres calls for an agreement not to buy or continue to own any houses with independents.

Such houses include, the Department listed, these below:

Academy, New York, N. Y.; Ace, Ozone Park, N. Y.; Alba, Brooklyn, N. Y.; Albany, New Brunswick, N. J.; Alden, Jamaica, N. Y.; Alhambra, Brooklyn, N. Y.; Ambassador, Brooklyn, N. Y.; Apollo, Jersey City, N. J.; Astoria, Queens, N. Y.; Bay, Bay City, Mich.; Bayside, Bayside, N. Y.; Benson, Brooklyn, N. Y.; Beverly, Brooklyn, N. Y.; Big Rapids, Big Rapids, Mich.; Bijou, Battle Creek, Mich.; Biltmore, Brooklyn, N. Y.; Boulevard, Jackson Heights, N. Y.; Broad, Trenton, N. J.; Broadway, Astoria, Queens, N. Y.; Broadway, Haverstraw, N. Y.; Broadway, Nyack, N. Y.; Bronxville, Bronxville, N. Y.; Brook, Bound Brook, N. J.; Brunswick, Trenton, N. J.

N. Y., N. J., Michigan

Caldwell, St. Joseph, Mich.; Cameo, Ossining, N. Y.; Capitol, Brooklyn, N. Y.; Capitol, Flint, Mich.; Capitol, Jackson, Mich.; Capitol, Jersey City, N. J.; Capitol, Kalamazoo, Mich.; Capitol, Lansing, Mich.; Capitol, Owosso, Mich.; Capitol, Portchester, N. Y.; Capitol, Trenton, N. J.; Carroll, Brooklyn, N. Y.; Casino, Ozone Park, N. Y.; Castle Hill, Bronx, N. Y.; Center, Bay City, Mich.; Center, Cadillac, Mich.; Center, Grand Rapids, Mich.; Center, Holland, Mich.; Center, Ionia, Mich.; Center, Ludington, Mich.; Center, Owosso, Mich.; Center, Saginaw, Mich.; Center, Willow Run, Mich.; Centre, South Haven, Mich.; Claridge, Brooklyn, N. Y.; Clinton, Brooklyn, N. Y.; Colonial, Brooklyn, N. Y.; Colonial, Holland, Mich.; Colony, Brooklyn, N. Y.; Commodore, Brooklyn, N; Y.; Congress, Brooklyn, N. Y.; Corona, Corona, N. Y.; Cove, Glen Cove, N. Y.; Crescent, Astoria, Queens, N. Y.; Cross Bay, Ozone Park, N. Y.; Crosswell, Adrian, Mich.; Crotona, Bronx, N. Y.; Culver, Brooklyn, N. Y.

Dawn, Flint, Mich.; Della, Flint, Mich.; Desmond, Port Huron, Mich.; Duffield, Brooklyn, N. Y.; Dumont, Dumont, N. J.; Eagle, Pontiac, Mich.; Eastern Parkway, Brooklyn, N. Y.; Eastown, Grand Rapids, Mich.; Elm, Brooklyn, N. Y.; Embassy, Brooklyn, N. Y.; Embasy, Portchester, N. Y.; Englewood, Englewood, N. J.; Family, Adrian, Mich.; Family, Monroe, Mich.; Family, Port Huron, Mich.; Folly, Brooklyn, N. Y.; Forest Hills, Forest Hills, N. Y.; Four Star, Grand Rapids, Mich.; Franklin, Saginaw, Mich.; Fuller, Kalamazoo, Mich.; Fulton, Jersey City, N. J.; Garden, Flint, Mich.; Garden, Ozone Park, N. Y.; Gem, Brooklyn, N. Y.; Gibson, Greenville, Mich.; Gladmer, Lansing, Mich.; Glen, Glen Cove, N. Y.; Glenwood, Brooklyn, N. Y.; Granada, Corona, N. Y.; Grand, Astoria, Queens, N. Y.; Grand, Chicago, Ill.; Grand, Grand Haven, Mich.

Hackensack, Hackensack, N. J.; Halsey, Brooklyn, N. Y.; Hamilton, Hamilton Township, N. J.; Hempstead, Hempstead, N. Y.; Highway, Brooklyn, N. Y.; Hill, Hillsdale, Mich.; Hillstreet, Los Angeles, Cal.; Holland, Holland, Mich.; Interboro, Bronx, N. Y.; Ionia, Ionia, Mich.; Jackson, Jackson Heights, N. Y.; Jamaica, Jamaica, N. Y.; Jerome, Ozone Park, N. Y.; Keith-Albee, Huntington, W. Va.; Kent, Grand Rapids, Mich.; Kew Gardens, Kew Gardens, N. Y.; Kinema, Brooklyn, N. Y.; Lafayette, Suffern, N. Y.; Lake, Benton Harbor, Mich.; Lansing, Lansing, Mich.; Lefferts, Richmond Hill, N. Y.; Liberty, Benton Harbor, Mich.; Liberty, Elizabeth, N. J.; Lincoln, Trenton, N. J.; Lincoln, Kearney, N. J.; Lynbrook, Lynbrook, N. Y.; Lyric, Alpena, Mich.; Lyric, Cadillac, Mich.; Lyric, Ludington, Mich.; Lyric, Manistee, Mich.; Lyric, Traverse City, Mich.

Majestic, Columbus, O.; Majestic, Grand Rapids, Mich.; Majestic, Jackson, Mich.; Majestic, Jersey City, N. J.; Majestic, Port Huron, Mich.; Maltz, Alpena, Mich.; Manhasset, Manhasset, N. Y.; Marblehill, Bronx, N. Y.; Marboro, Brooklyn, N. Y.; Marcy, Brooklyn, N. Y.; Martha Washington, Ypsilanti, Mich.; Maspeth, Maspeth, N. Y.; Mecca, Saginaw, Mich.; Meserole, Brooklyn, N. Y.; Michigan, Ann Arbor, Mich.; Michigan, Battle Creek, Mich.; Michigan, Jackson, Mich.; Michigan, Kalamazoo, Mich.; Michigan, Lansing, Mich.; Michigan, Muskegon, Mich.; Michigan, Saginaw, Mich.; Michigan, South Haven, Mich.; Michigan, Traverse, Mich.; Midway, Forest Hills, N. Y.; Model, South Haven, Mich.; Monroe, Monroe, Mich.; Monticello, Jersey City, N. J.; Nemo, New York, N. Y.; Northtown, Lansing, Mich.

Oakland, Pontiac, Mich.; Oasis, Ridgewood, N. Y.; Ogden, Bronx, N. Y.; Orpheum, Ann Arbor, Mich.; Orpheum, Huntington, W. Va.; Orpheum, Kalamazoo, Mich.; Orpheum, Pontiac, Mich.; Our, Grand Rapids, Mich.; Palace, Bergenfield, N. J.; Palace, Flint, Mich.; Palace, Trenton, N. J.; Pantages, Hollywood, Cal.; Parkhill, New York, N. Y.; Park Plaza, Bronx, N. Y.; Parthenon, Brooklyn, N. Y.; Pascack, Westwood, N. J.; Pelham, Bronx, N. Y.; Pilgrim, Bronx, N. Y.; Playhouse, Great Neck, N. Y.; Plaza, Englewood, N. J.; Post, Battle Creek, Mich.; Rainbow, Brooklyn, N. Y.; Ramsdell, Manistee, Mich.; Reade, Highland Park, N. J.; Reade's Trent, Trenton, N. J.; Ready, Niles, Mich.; Regent, Allegan, Mich.; Regent, Battle Creek, Mich.; Regent, Bay City, Mich.; Regent, Flint, Mich.; Regent, Jackson, Mich.; Regent, Kearny, N. J.; Regent, Muskegon, Mich.; Republic, Brooklyn, N. Y.; Rex, East Rutherford, N. J.; Rex, Jackson, Mich.; Rialto, Jersey City, N. J.; Rialto, Pontiac, Mich.; Rialto, Three Rivers, Mich.; Ridgewood, Brooklyn, N. Y.; Riviera, Brooklyn, N. Y.; Riverside, New York, N. Y.; Riviera, New York, N. Y.; Riviera, Niles, Mich.; Riviera, Three Rivers, Mich.; Rivoli, Hempstead, N. Y.; Rivoli, New Brunswick, N. J.; Rivoli, Rutherford, N. J.; RKO Proctor's, Newark, N. J.; Robinhood, Grand Haven, Mich.; Rockland, Nyack, N. Y.; Roosevelt, Flushing, N. Y.; Roosevelt, Woodhaven, N. Y.; Roxy, Flint, Mich.; Roxy, Sturgis, Mich.; Royal, Grand Rapids, Mich.

Savoy, Brooklyn, N. Y.; Scarsdale, Scarsdale, N. Y.; Senate, Brooklyn, N. Y.; Silver, Greenville, Mich.; Southtown, Lansing, Mich.; Square, Bronx, N. Y.; Squire, Great Neck, N. Y.; Stadium, Brooklyn, N. Y.; State, Ann Arbor, Mich.; State, East Lansing, Mich.; State, Flint, Mich.; State, Huntington, W. Va.; State, Jersey City, N. J., State, Kalamazoo, Mich.; State, Muskegon, Mich.; State, New Brunswick, N. J.; State, Pontiac, Mich.; State, Trenton, N. J.; Steinway, Astoria, Queens, N. Y.; Stoddard, New York, N. Y.; Stone, Brooklyn, N. Y.; Strand, Battle Creek, Mich.; Strand, Flint, Mich.; Strand, Jersey City, N. J.; Strand, Niles, Mich.; Strand, Owosso, Mich.; Strand, Pontiac, Mich.; Strand, Rockville Center, N. Y.; Strand, Saginaw, Mich.; Strand, Sturgis, Mich.; Sunnyside, Woodside, N. Y.; Supreme, Brooklyn, N. Y.; Surf, Brooklyn, N. Y.; Teaneck, Teaneck, N. J.; Temple, Saginaw, Mich.; Times, Cincinnati, O.; Tipton, Huntington, W. Va.; Tivoli, Jersey City, N. J.; Trabay, Traverse, Mich.; Triboro, Astoria, Queens, N. Y.; Tuxedo, Bronx, N. Y.; Uptown, Kalamazoo, Mich.; Utica, Brooklyn, N. Y.

Valentine, Bronx, N. Y.; Valley Stream, Valley Stream, N. Y.; Victoria, Ossining, N. Y.; Victory, Bayside West, N. Y.; Vogue, Manistee, Mich.; Waldorf, Brooklyn, N. Y; Walker, Brooklyn, N. Y.; Ward, Bronx, N. Y.; Wealthy, Grand Rapids, Mich.; Westown, Bay City, Mich.; Westwood, Westwood, N. J.; Whitney, Ann Arbor, Mich.; Wilson, Brooklyn, N. Y.; Wolverine, Saginaw, Mich.; Wuerth, Ann Arbor, Mich.; Wuerth, Ypsilanti, Mich.; 43rd Street, Long Island City, N. Y.; 77th Street, New York, N. Y.

The existing joint ownership in the above enumerated theatres shall be terminated within one year from the date hereof in accordance with the following provisions:

Limited to 30 Theatres

(A) As to not to exceed 30 theatres from the above list, the RKO exhibitor-defendants or the new theatre company may elect to terminate such ownership either by acquiring the interest of the co-owner or co-owners therein, or by sale of the interest of RKO therein in accordance with paragraph (B) hereof. Such 30 theatres may include the Alden Theatre, Jamaica, N. Y.; Midway, Forest Hills, N. Y.; and two of the following theatres: Castle Hill, Marble Hill and Pelham theatres, Bronx, N. Y. Except for such four theatres, none of such 30 theatres shall be located in New York City. In the event that the existing joint interest in the RKO Proctor's Theatre at Newark, N. J., is not terminated within one year in accordance with the provisions of this paragraph, such joint interest may continue, provided that one of the joint owners shall have the sole management of the theatre and the other shall exercise no control of any kind over the theatre, except to receive fixed payments during the balance of the agreements, which shall not be determined by the net earnings of the theatre.

(B) As to the remainder of the theatres located in New York City, the RKO exhibitor-defendants shall terminate such relation by a sale or other disposition of the interest of RKO therein, which may be either (1) to a co-owner or co-owners; or (2) to a party not a defendant and not owned or controlled by or affiliated with a defendant in this case.

Trenton Circuit Is Named

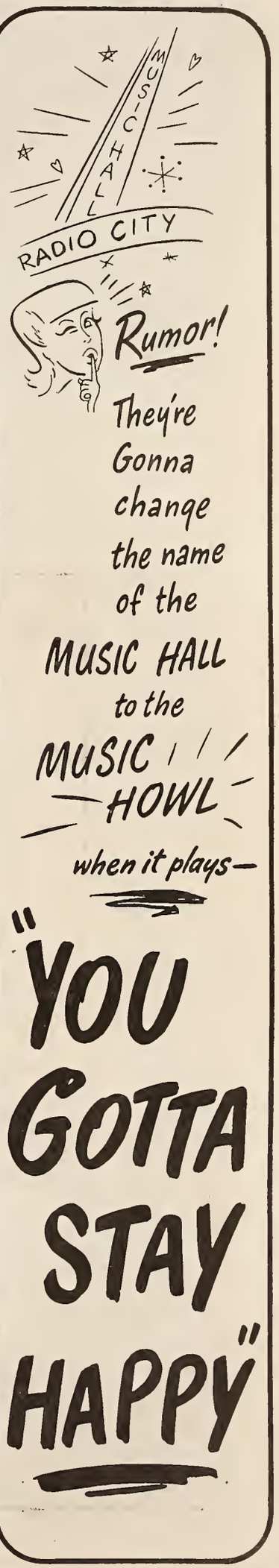
B. In the event that the RKO exhibitor-defendants shall, pursuant to the provisions of section III-A-9-(A), acquire the interest of their co-owners in all the theatres now owned, leased, or operated by Trenton-New Brunswick Theatres Co. in Trenton, N. J., the RKO exhibitor-defendants shall dispose of all of their interest in one first-run theatre in Trenton. The RKO exhibitor-defendants shall effect such disposition within one year from the date of their acquisition of such theatres, and shall effectuate this provision by a sale to a party not a defendant herein or owned or controlled by or affiliated with a defendant herein.

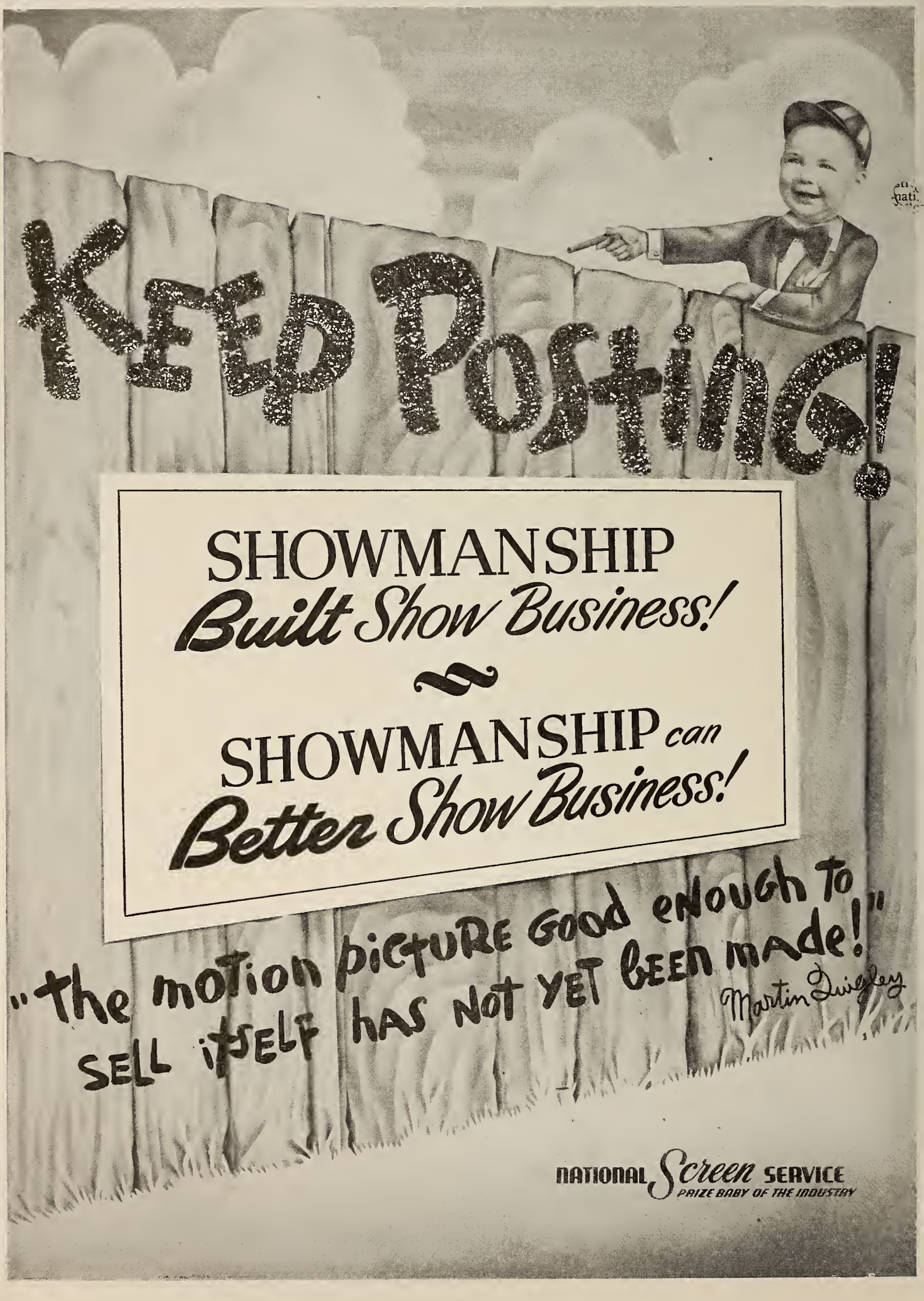
C. Within one year of the date hereof, the RKO exhibitor-defendants shall dispose of all their interest in two of the theatres now operated by them on first-run in the central business district of Cincinnati, O. The RKO exhibitor-defendants shall effectuate this provision by a sale to a party not a defendant herein or owned or controlled by or affiliated with a defendant herein.

Richfield Asks 28-Day Clearance in Minn.

MINNEAPOLIS, Nov. 2.—In an effort to bolster business which has sagged at the stand since neighboring houses dropped from 56 days into the 42-day slot which the Minneapolis suburban Richfield had to itself since opening last year, operators Mans-O'Reilly-Lee have joined the Varsity and Homewood in the 28-day run schedule.

A spokesman for the Richfield group said a majority of branch managers "has assured us we will get product for the run," adding that "unless we do, we may go to court."




KEEP POSTING!
SHOWMANSHIP
Built Show Business!
SHOWMANSHIP can
Better Show Business!
"the motion picture Good enough to
SELL itself has Not YET been made!"
Martin Quigley
NATIONAL Screen SERVICE
PRIZE BABY OF THE INDUSTRY

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. NO. 87 NEW YORK, U.S.A., THURSDAY, NOVEMBER 4, 1948 TEN CENTS

FILE COPY DO NOT REMOVE

MR. JOYCE O'HARA,
MOTION PICTURE ASSOC. OF AMERICA,
28 WEST 44TH ST., 21ST FL.
NEW YORK, N. Y.

Rank Booking Only 4 U. S. Dual Programs

13 Other Current Bills Counter Johnston's Plan

LONDON, Nov. 3. — Of 17 film programs playing J. Arthur Rank's combined Odeon and G-B circuits in the metropolitan area here this week only four are double American feature programs, the kind decreed by Eric Johnston, Motion Picture Association of America president, in consequence of Rank's declared booking policies following adoption of the new 45 per cent quota.

The current 17 programs consist of the following: eight combined American-British feature programs; four double American feature programs; four with one British feature only, and one double British program.

Of the eight American-British programs, in four cases the American features come from either Universal or Eagle-Lion. A fifth consists of United Artists' "The Girl from Manhattan," playing second feature to a reissue of Rank's "London Town." The other three are reissues of old

(*Continued on page 4*)

British Film Bank Funds Open to U. S.

LONDON, Nov. 3.—J. H. Lawrie, head of Britain's Film Finance Co., said today that American producers will be able to borrow from that government bank provided their production programs commend themselves to him and fall within the British film quota requirements.

Lawrie said the bank commands at the moment 2,500,000 pounds ($10,-

(*Continued on page 4*)

Executives' Parley Deferred One Week

Washington, Nov. 3.—Conferences of Eric Johnston, Motion Picture Association of America president, with company presidents and other top industry executives, slated to open next week in New York, have been moved back, again tentatively, to Nov. 17-19, it was indicated today at MPAA headquarters. Meetings were to have been held Nov. 10-12.

Adapt Industry Production Code to Video

Television Broadcasters Association has urged the entire video industry to adhere to the Motion Picture Production Code and radio's "Standards of Practice" until the new industry has developed to the point where it can formulate its own guide on general principles and standards for programs.

The measure was recommended by the TBA code committee, approved by the board of directors and proclaimed to be "a great step forward in protecting the interests of television broadcasters throughout the nation."

Copies of the film industry's Production Code and radio's "Standards" has been sent by TBA here to all television stations, including non-

(*Continued on page 4*)

Film Stocks Tumble With Other Issues

Surprised by the presidential election results, investors on the New York Stock and Curb Exchanges unloaded heavily yesterday causing stock values to drop practically all along the line. One of the few to show a gain and the only film issue rise was Universal preferred, which increased a quarter of a point.

Stock prices which dropped were

(*Continued on page 2*)

Government Files in N. Y. Case Shipped

Washington, Nov. 3.—Department of Justice files in the Paramount trust case have been shipped from D. of J. attorney Robert L. Wright's office here to the New York District Court where hearings will start on Monday.

There is still no indication that there would be any postponement of the arguments. James F. Byrnes, 20th-Fox counsel is slated to confer with Attorney General Tom Clark on Friday, but there is no indication he will talk for anyone but that company.

Aga Khan Cash in Eagle-Lion Deal

The Aga Khan, Moslem leader, and one of the world's wealthiest men, may invest an unspecified amount of cash in Eagle-Lion in return for production-distribution franchises in a number of Continental European countries, and revenue accruing to E-L under the deal will be paid to the company in dollars in New York out of Aga Khan's resources here, spokesmen for Pathe Industries, E-L parent company, said yesterday. No funds would be frozen abroad.

It is reported that Aga Khan, or his designated representative, will become a member of the E-L board of directors in consequence of the deal. A representative of the Moslem leader came here from Paris for negotiations with E-L officials, and has been conferring with them and company attor-

(*Continued on page 4*)

Paramount in Bid for Long Court Inquiry

Development of Needed Monopoly Proof Asked

Extensive inquiry into the circumstances surrounding theatre acquisitions and subsequent operations yesterday was urged upon the New York Federal Court by Paramount as the only means to establish the facts described as being necessary to fashion a proper decree in the Government's action against the distributors.

Paramount admits that the task will be "burdensome" to the court and all parties to the suit and the indication is that if the court is agreeable to the film company's bid for the investigation another long trial will be the consequence.

In a memorandum presented to the court, similar to one submitted recently by Loew's, Paramount lashes out

(*Continued on page 5*)

Exhibitors' Ascap Decree Is Filed

Owners of musical composition copyrights would license both public performance and synchronization rights to film producers simultaneously under a decree presented to the New York Federal Court yesterday by the 164 exhibitor plaintiffs in the anti-trust action against Ascap.

As directed by Judge Vincent Leibell, Ascap has five days in which to submit a memorandum on the proposed order, following which Judge

(*Continued on page 5*)

'Corner' Theatre Video, Ryder Warns Industry

Urging U. S. theatre interests to get on the television bandwagon before the theatre video field is captured by enterprising outsiders, Loren L. Ryder, retiring president of the Society of Motion Picture Engineers, said here yesterday that several new technical developments point to rapid expansion of theatre television operations.

Film techniques and devices now in use or about to be used, Ryder said, will make it possible to project pictures for television that will register in the video camera on a par with "live" action. Improved electronic pick-up of films by video is an important factor in this connection, Ryder declared.

Protestants to Scan Scripts in Hollywood

HOLLYWOOD, Nov. 3.—Protestant Film Commission will have three permanent committees, made up of religious leaders and laymen, to function in Hollywood under the direction of Paul F. Heard, national executive director, and Oren W. Evans, West Coast director.

A script committee will review scripts submitted for production by the PFC "and also study scripts contemplated by studios exclusively from the angle of Protestant theology, creed and doctrine." A committee will also offer to aid producers.

O'Donnell Does Not Seek RKO Theatres

DALLAS, Nov. 3.—Robert J. O'Donnell, general manager of Interstate Theatres, was reached for comment today on the recent report from Houston that he might head a syndicate which aimed to purchase control of some RKO theatres, and disclaimed having any interest in such a deal.

MOTION PICTURE DAILY in publishing the report on Oct. 28, said that confirmation of the report could not be obtained. The syndicate was de-

(*Continued on page 5*)

Personal Mention

ROBERT MOCHRIE, RKO Radio domestic distribution vice-president, is in Los Angeles from New York.

•

MRS. JOAN GOLDING MACHSON has returned to her publicity post at Margaret Ettinger Co., industry public relations firm here, following a month's absence, during which she was married.

•

WILLIAM B. JAFFE, industry attorney, has returned here from Schenectady where he participated in ground-breaking ceremonies for a new fraternity house at Union College.

•

NED E. DEPINET, RKO president, will be a dais guest at the Ampa luncheon here tomorrow at the Hotel Piccadilly.

•

ARTHUR W. KELLY, United Artists executive vice-president, will return to New York from Hollywood next week.

•

WILLIAM J. CLARK, executive vice-president of National Film Service, has left Philadelphia for a Midwestern tour.

•

ANTHONY HAVELOCK-ALLAN, British producer, will arrive here tomorrow on the *SS Queen Elizabeth*.

•

ED HINCHY, head of Warner Brothers' playdate department, is in Cleveland today.

•

BERNIE KREISLER has returned to New York following a 13 months' study of film operations in Europe.

•

DR. RENATO GUALINO, vice-president of Lux Film S.A., Rome, is due here Saturday on a business visit.

•

MAX WEINBERG, M-G-M's Eastern short subjects representative, returns here from the Coast Monday.

•

SAM BISCHOFF, producer, is here from Hollywood.

•

JOSEPH BERNHARD, Film Classics president, is in Hollywood from here.

Special MOT on Pope

Release of its new special two-reel 16mm. film, "The Vatican of Pius XII," filmed in the Eternal City by special permission of the Pope, has been announced by March of Time. Library Films of New York will distribute the film, which will be available with English, Spanish and French narrations. The picture shows exclusive scenes of the Pope, and varied activities of Vatican City.

Promote Johnston Book

Eric Johnston, president of the Motion Picture Association of America, will be honor guest at a luncheon to be given today at the St. Moritz Hotel, New York, for book reviewers by E. P. Dutton Co., publishers of Johnston's new book, "We're All in It."

Insider's Outlook

By RED KANN

THE larger significance of the proposed separation of RKO theatres from RKO production and distribution appears to be overlooked in the maelstrom of rumors and speculations about who is going to get what.

That significance, it seems to us clearly enough, is in the alteration of industry pattern which such an arrangement suggests. In voluntarily proposing an agreement with the Department of Justice, RKO is technically and actually proposing a reshuffle which it is under no compulsion to make although it might be argued the Government finally will win its long-standing fight for theatre divorcement. No such state of affairs exists up to now, however.

■

Consequently, by its own decision and regardless of how reached, RKO becomes the first of the five producer-distributor-exhibitor companies to step away from exhibition. It dents the five-company front, establishes a precedent and undoubtedly places in the hands of the Department of Justice a factor of considerable weight in its future dealings with the four that remain.

Little wonder Bob Wright has been chewing his fingernails in figurative excitement as he awaited technical and legal consummation of the proposal. It is not difficult to imagine him in a future courtroom rebutting argument that divorcement is not possible when RKO already has done it. It, therefore, appears reasonable to conclude the strategic position of Paramount, Loew's, 20th-Fox and Warner will undergo an important change.

As for the RKO move itself, there is much to be clarified. There seems no reason to question Floyd Odlum's right of first rejection on whatever bids may be entered for the controlling stock which Howard Hughes will hold in the theatre company. Whether the current RKO stock structure splits up on a basis of one share in RKO, the producer-distributor, and one share in RKO, the exhibitor, or otherwise actually makes little difference. The ratio of the stock spread in the theatre company in relation to the holdings in the existing company will be unaffected.

Moreover, the arrangement with the Justice Department is clear on one other very vital point. Hughes may elect to remain in production and distribution or he may cast his ballot for exhibition, but he cannot remain in both. His decision seems hardly in doubt.

■

It is accepted widely that he will decide on production, thus opening the field on bids for the theatre stock. Much speculation is afoot about Odlum's actual objectives in the situation. If he meets whatever competitive offers show up — Bob O'Donnell has been mentioned [without any validity whatsoever, he wired from Dallas yesterday], Wall Street groups are reported interested, Malcolm Kingsberg is not disinterested—his very close relationship with N. Peter Rathvon could bring the latter into the picture. Or perhaps Odlum ownership would continue under the current theatre management headed by Kingsberg and Sol A. Schwartz.

Undisclosed in the company's careful press release issued over the weekend was the matter of warrants. There are several millions outstanding. They give their holders the right to buy the present RKO stock at $15 a share and expire at the close of 1950. It seems logical some provision was made for them in the contemplated corporate separation, but on what basis no one was in a position to say late yesterday. Or would.

■

And, finally, since RKO intends abandoning the old-line front by voluntary action, concessions appear in order. One of them, on the Government's side, is said to be an assurance the new theatre company may proceed on an even keel without worrying about a Government suit demanding that it, in turn, submit to divorcement as long as corporate behavior is what Justice deems to be correct and proper.

Another, on RKO's side, insisted that it dispose of its minority interest in the Butterfield circuits and several partnerships in the metropolitan New York area.

■ ■

POST-ELECTION NOTE: From Martin Agronsky, well-known radio commentator: "It has been suggested that the poll takers [George Gallup, Elmo Roper, et al] take over as editors of the *Literary Digest*."

Foundation Dinner To Simon Fabian

The 12th annual dinner of the M Cosker-Hershfield Cardiac Foundatic will be given in honor of Simon F Fabian, head of Fabian Theatres, the Waldorf-Astoria on Saturda night, Dec. 4. The tribute will be fc Fabian's many philanthropic service

Among the 50 who are sponsorin the dinner are: Attorney General To C. Clark, Emil Friedlander, Postma ter Albert Goldman, Walter Vincen Vincent Impelliteri, James Anat yon Justice Ferdinand Pecora, go F Rogers, Franklin D. Roosevelt, Jr John Cashmore, Everett R. Clinch Rt. Rev. Msgr. Fulton J. Sheen, Eddi Cantor.

1,500 Disabled 'Vets To 'Night of Stars'

Funds are now being raised to en able more than 1,500 disabled veteran to attend the forthcoming 15th annua "Nights of Stars," all-star show whic will be held at Madison Square Gar den here on Monday evening, Nov 15, it was announced by Mrs. Te Lewis, chairman of the women' division.

Heading the show's production com mittee is Robert M. Weitman, manag ing director of the New York an Brooklyn Paramount theatres.

General Precision Net Is Almost Double

General Precision Equipment Corp and subsidiaries report that consoli dated net operating profit for the three months ended Sept. 30 was $323,174 after provision for Federal incom taxes, subject to year-end adjustments This compares with a net of $174,30 for the same quarter in 1947.

Directors of General Precision yes terday declared a dividend of 25 cent per share on capital stock outstanding payable Dec. 10, to stockholders o record on Nov. 19.

Film Stocks Tumble

(*Continued from page* 1)

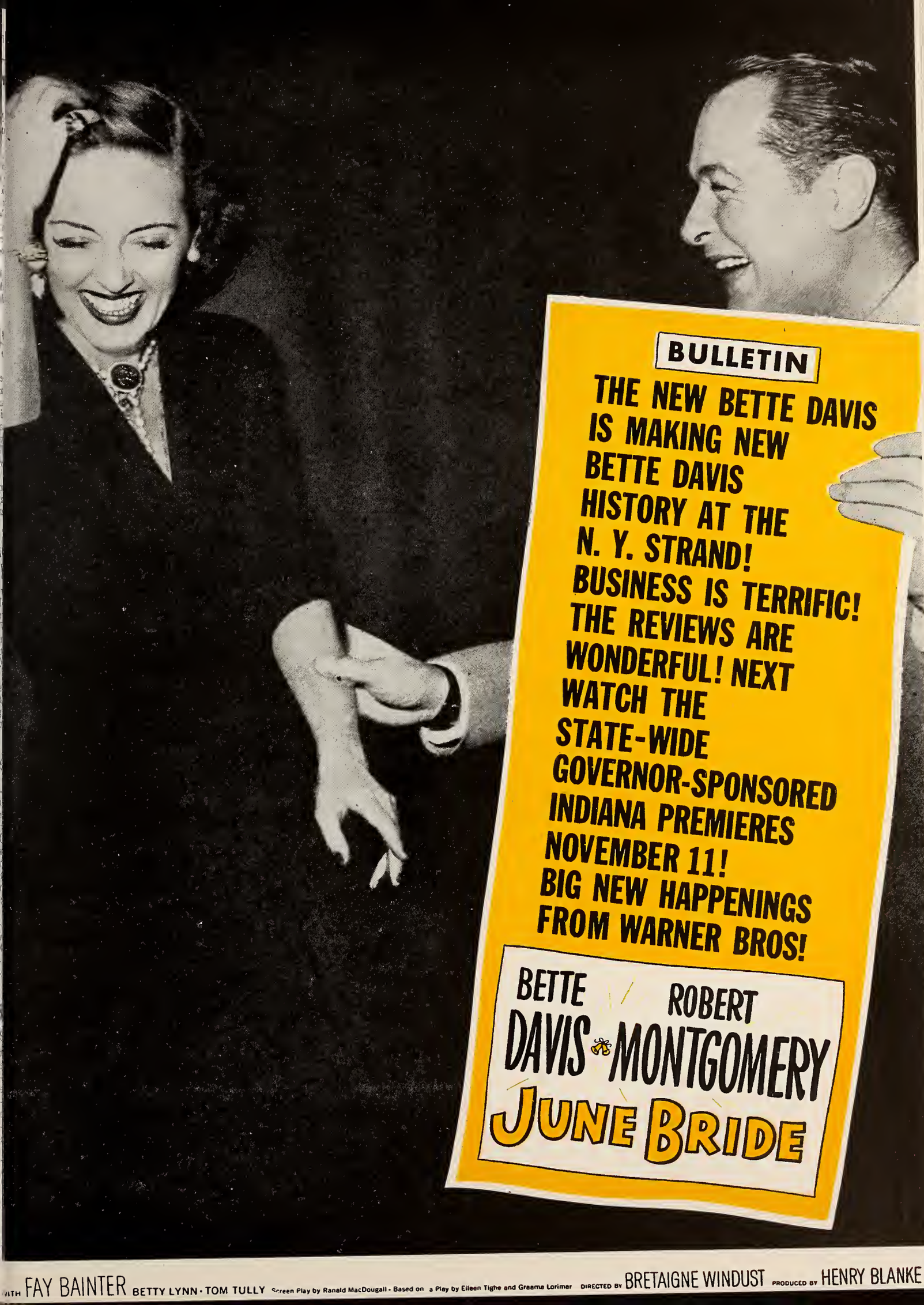
Columbia, off five-eights; Eastman Kodak, off two points; Loew's, down seven-eighths; Monogram, one-quarter; Paramount, one point; RKO, five-eighths; Republic, common and preferred, each down one-eighth; 20th-Fox, down one and one-eighth; Technicolor, one-half; Universal common, three-quarters; Warner, down one-half.

Among the heavy film share disposals were the 16,400 shares of Loew common; 20,800 of Paramount; RKO, 5,500; 20th Century-Fox, 6,000; Universal common, 2,700; Universal preferred, 5,000; Warner, 11,100.

Election Newsreel A Pre-Release Issue

The five newsreels were working at top speed here last night to bring the footage of the Truman victory to theatres this afternoon. The reels were preparing to issue the election newsreels as a pre-release. Decision on whether the election story would constitute the entire reel had not been determined.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.


BULLETIN
THE NEW BETTE DAVIS
IS MAKING NEW
BETTE DAVIS
HISTORY AT THE
N. Y. STRAND!
BUSINESS IS TERRIFIC!
THE REVIEWS ARE
WONDERFUL! NEXT
WATCH THE
STATE-WIDE
GOVERNOR-SPONSORED
INDIANA PREMIERES
NOVEMBER 11!
BIG NEW HAPPENINGS
FROM WARNER BROS!
BETTE DAVIS
ROBERT MONTGOMERY
JUNE BRIDE
WITH FAY BAINTER BETTY LYNN · TOM TULLY Screen Play by Ranald MacDougall · Based on a Play by Eileen Tighe and Graeme Lorimer DIRECTED BY BRETAIGNE WINDUST PRODUCED BY HENRY BLANKE

Monogram Officials To Coast Meetings

Edward Morey, Allied Artists-Monogram vice-president, and Morey Goldstein, national sales manager, will leave here tomorrow to attend the company's annual directors and franchise holders meetings at the Hollywood studio, on Nov. 10. They will be accompanied by Lloyd Lind, supervisor of exchanges, and Maxwell Gillis, Eastern division sales manager.

At Chicago they will be joined by L. E. Goldhammer, Western division sales manager. James Pritchard, Southern division sales manager, will attend the meeting, going direct from Dallas.

J. Friedman, E-L Aide

CHICAGO, Nov. 3.—Joe Friedman, 51, Eagle-Lion salesman, died here yesterday at his home from a throat ailment. Friedman was a salesman for Paramount and Loew before joining Eagle-Lion a year ago. He is survived by the widow, Florence, and three children.

McCauley Variety Night

PHILADELPHIA, Nov. 3.—Pete McCauley of the local Variety Club will be honored at club headquarters here on Saturday night on the occasion of his 13th anniversary with the organization.

Safier Here on 'Concert'

Morris Safier is here from the Coast to arrange for Eastern openings of "Concert Music," starring Yehudi Menuhin, violin virtuoso.

Rank Booking

(*Continued from page* 1)

Hollywood films handled here by lesser reissue distributors, and all three are playing the lower half of their bills.

Three of the four double American programs are supplied by Universal and Eagle-Lion. The fourth consists of RKO Radio's "The Miracle of the Bells" and "Bodyguard." Screening of "Bells," incidentally, is an example of Rank taking no notice of the Cinematograph Exhibitors Association's recent embargo on the works of Ben Hecht.

The lone all-British program comprises the much-lauded "The Winslow Boy" from British Lion, with one of Rank's so-called curtain-raisers, "Fly Away Peter," as second feature. British Lion is a competitor of Rank's General Film Distributors.

The four examples of single feature programs are made up of British product of the calibre of "Hamlet" and "Oliver Twist."

On the competing A.B.C. circuit there are currently three programs of mixed American-British flavor. For two of them the second features are furnished by Republic and Monogram. The other consists of Warner's "Life with Father," supported by a British quota piece acquired by Columbia's British company.

Johnston has made it clear that he does not object to an American picture appearing with a British subject made to the order of an American company.

The lesser Granada circuit also has three programs each topped by an American picture. Two have American films on the lower half of the bill, the third has the same Columbia-British film which appears in A.B.C.'s roster.

Rank, it is evident, will give as much American playing time in his theatres as the situation demands to his American affiliates, Universal and Eagle-Lion, completing mixed American-British bills either with the product of those two companies, American reissues offered by British firms and films of American producers not subscribing to Johnston's all-American booking policy, such as members of the Society of Motion Picture Producers and those releasing through United Artists.

Monogram, which distributes here through A.B.C.'s affiliate, Pathe, and Republic, distributing through British Lion, appear to be assured of a lush harvest so long as the Johnston embargo persists.

Fritz Tidden, Writer

HOLLYWOOD, Nov. 3.—A funeral mass will be said here tomorrow at Christ the King Church for Fritz Tidden, 63, veteran Hollywood correspondent, reviewer and press agent, who died Monday at the Motion Picture Country Home following a stroke.

CBS Airs Hour-Long Report on Hollywood

Workings of the film industry from the birth of an idea for a production through distribution, exhibition and audience demands were analyzed by Columbia Broadcasting in an hour-long documentary program last night. "The Hollywood Picture" recounted the development of Samuel Goldwyn's "Best Years of Our Lives," tracing it back to the original suggestion for such a picture, the assignments and casting, through to the first preview and promotion. The Production Code and Joseph I. Breen, its administrator, were frequently mentioned in the report on objections to certain parts of the script.

Dealing generally with Hollywood, the program looked into producers' commercial problems and closed with the observation that the theatregoers' support of "good pictures" will mean that "more good pictures will be made." The program appeared completely devoid of any editorializing.

CBC Board Against Video Permits Now

OTTAWA, Nov. 3.—That applications by several groups, including Famous Players Canadian, for television station permits may be turned down has been indicated by A. D. Duncan, chairman of the board of governors of Canadian Broadcasting Corp., who revealed that the board has recommended that commercial development of video be barred for two to five years. The government must now act on the recommendation.

Code for Video

(*Continued from page* 1)

members, with the recommendation that they be used for guidance so far as they are applicable to video.

Because television is still developing new techniques, its own standards of practice would not be possible, or even desirable, at this time, according to TBA's statement of policy.

State Takes Over the Rumanian Industry

The entire motion picture industry in Rumania has been nationalized by government decree, according to press dispatches reaching here yesterday from Bucharest. Involved are 200 theatres, and all studios, laboratories and distribution companies.

As far as the studios are concerned, a Motion Picture Export Association spokesmen here said yesterday that decree "merely puts on the books what has existed for some time." He pointed out, however, that it is a definite change for the theatre industry, although it has been under strong government regulation for some time.

Owners of the properties to be seized will be compensated with government bonds, the dispatches said.

End 'Wildcat' Strike At Rank's Studios

LONDON, Nov. 3.—Following a one-hour meeting here today between J. Arthur Rank Organization representatives and delegates from the three trade unions operating in the Denham studios, the 1,700 strikers at the studios agreed to return to work tomorrow unconditionally.

Rank's representatives promised union spokesmen that discussions will begin immediately on the issue involved, namely, the dismissal of 92 allegedly superfluous carpenters and other workers. The workers walked out five days ago in protest against the dismissals, but without authority from the unions' leaders.

British Film Bank

(*Continued from page* 1)

000,000) only and that a big line-up of British applicants is forming.

David H. Coplan, managing director of United Artists, Ltd., said any application made to the bank by U.A. would be designed not necessarily to borrow government money but to draw official attention to UA's world-wide marketing of British films, which marketing, he claims, exceeds all other companies.

E-L, Aga Khan Deal

(*Continued from page* 1)

neys for the past week. Aga Khan himself is now in Paris.

The company will announce details of the arrangement either today or tomorrow.

Electrical Research Has a New Recorder

Extensive use in the television and 16mm. fields is predicted for a new method of sound-on-film recording by Electrical Research Products, which says that 16mm. results comparable to 35mm. theatre sound are achieved by using the basic techniques of variable density recording with the light valve and omitting the customary negative step in processing.

A LEADING INDUSTRY EVENT

Associated Motion Picture Advertisers

LUNCHEON—MEETING

FRIDAY, NOVEMBER 5 — 12:30 Sharp

GEORGIAN ROOM, HOTEL PICCADILLY

WALTER WANGER

Producer, Sierra Pictures "JOAN OF ARC", will express his original views on the subject of Advertising and Publicity Promotion.

JOAN BENNETT

Star of Eagle Lion's "HOLLOW TRIUMPH", will grace the dais.

$2.50

THE GREAT DEMAND FOR SEATS AND LIMITED SEATING CAPACITY MAKES IT IMPERATIVE THAT YOU MAKE ADVANCE RESERVATION PROMPTLY TO:

CHESTER FRIEDMAN, COlumbus 5-6370

DOUGLAS 4-ENGINED

FLY OVERNITE TO CALIFORNIA

COAST TO COAST $88 PLUS TAX

DC-4 • 12 HOURS

Skycruises inc.

CALL BRYANT 9-3707

108 W. 43rd St. Hotel Diplomat

Spokane Censors Ban 'Rope'; Seattle Test

SPOKANE, Nov. 3. — The local censor board has banned the showing of "Rope," Warner Brothers, prior to its opening here this week.

City Commissioner William P. Rayne, board chairman said that the picture's "plot, story and action definitely violate standards established." The picture would be in violation of city ordinances if shown publicly here.

A court test is scheduled in Seattle, following notice by Bernard Reiter, chairman of the board, to Hamrick Evergreen Theatres that the picture should have no further showings.

New AAA Award in Ohio Clearance Tilt

The Appeal Board of the American Arbitration Association has handed down a corrected decision in the case involving the Vogue Theatre at Wyoming, Ohio, and Loew's, the AAA office reported here yesterday.

Under the amended award, maximum clearance which may be granted to the Emery Theatre in Reading, O., over the Vogue, shall be seven days after the Emery's availability.

Elliott and McGowan Form Production Unit

HOLLYWOOD, Nov. 3.—William (Wild Bill) Elliott has established Elliott-McGowan Productions, Inc., independent producing company, in association with the brothers Dorrell and Stuart McGowan, writers, and Will J. O'Sullivan, to release through Republic. Their pictures will be in addition to Elliott's present commitments to that studio.

Music Publishers Form Service Unit

A credit information service has been inaugurated by the Music Publishers' Association to provide an interchange of credit information for its members. Purpose of the service is two-fold: to disseminate credit data to publisher members and to assist those dealers who may find themselves temporarily financially embarrassed.

O'Donnell

(*Continued from page* 1)

scribed as being backed by Houston money and mentioned Jesse Jones as a reported member of the group.

"Under no circumstances would I be interested in this arrangement," O'Donnell declared, adding: "I am happy with my connection with Karl Hoblitzelle and Interstate Theatres."

Exhibitors' Decree

(*Continued from page* 1)

Leibell is expected to promulgate the court's decree, probably next week.

Plaintiffs attached a memorandum to their proposed judgment asking Judge Leibell to specifically rule that performing rights need not be acquired by producers for pictures already made.

New Aide for Linet

Doris Glass, who has assisted Henry A. (Hank) Linet, Universal-International Eastern advertising manager, handling media, has resigned and will marry Leonard Koplin of Philadelphia in New York, on Nov. 28. Miss Glass is being replaced by Norma Seltzer.

Review

"The Countess of Monte Cristo"

(Westwood Corp.—Universal-International)

AMONG assets of "The Countess of Monte Cristo" are the succession of production numbers which Sonja Henie performs on ice with grace and beauty, and the gleeful charm which Olga San Juan radiates in her companion role. The story which holds together the songs, dances and skating numbers is a standard affair, light, carefree and corny.

Set in Oslo, the yarn revolves around two barmaids who take a spin at being film extras, and then go off to live the life abundant by masquerading as countess and maid, with Miss Henie as the former and Miss San Juan the latter. While luxuriating at a lavish winter resort, Miss Henie meets and falls in love with dashing Michael Kirby of the Swiss Guards. At about this time, however, a slick, snooping thief finds out about the girls and insists upon them joining him in ambitious enterprises of theft. A lot of complications follow, most of them in farcical vein, before matters are straightened out.

Others in the cast include Arthur Treacher, a hotel manager, and Hugh French, the snooty villain. A Westwood Corp. production, it was produced by John Beck and directed by Frederick De Cordova. William Bowers adapted the screenplay from a story by Walter Reisch. Among the songs are "Count Your Blessings," "Who Believes in Santa Claus?" and "The Friendly Polka."

Running time, 77 minutes. General audience classification. For November release.

MANDEL HERBSTMAN

Paramount, Inquiry

(*Continued from page* 1)

at the Government's proposed order for early divestiture of hundreds of theatres and ultimate divorcement. The New York Federal Court previously had concluded that the Government had failed to establish a case for divestiture and subsequently the U. S. Supreme Court directed a further inquiry into the questions of monopoly and divestiture, Paramount contends.

It was disclosed yesterday that in answering Loew's, the Government held that new evidence would only serve to throw added but unnecessary light on the nature of the market control which the majors allegedly now have.

Paramount, like Loew's, asserts that the record in the case to date does not support the Government's demand for divorcement or a ban on cross-licensing, and asks that the new decree be framed in the "light of present-day facts."



Produced by ROBERT L. WELCH • Directed by NORMAN Z. McLEOD
Original Screenplay by Edmund Hartmann and Frank Tashlin • Additional Dialogue by Jack Rose

For Your PARAMOUNT CHRISTMAS!

ANOTHER SPECTACULAR "SUPER"-SERIAL

from the company that gave you SUPERMAN!



SUPERMAN fans are CONGO BILL fans!

Like Superman . . . **CONGO BILL** is featured in ACTION COMICS Magazine...with *millions* and *millions* of readers!

Like Superman...**CONGO BILL** is backed by NATIONAL COMICS PUBLICATIONS, INC. for high-geared nation-wide exploitation!

Like Superman . . . **CONGO BILL** is socko entertainment ...red-blooded *jungle adventure* so hot *now* at the box-office!

Follow SUPERMAN with CONGO BILL...
keep those *serial* seats filled!

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. NO. 88 NEW YORK, U.S.A., FRIDAY, NOVEMBER 5, 1948 TEN CENTS

MOTION PICTURE ASSOC. OF AMERICA, 28 WEST 44TH ST., NEW YORK 18, N. Y. (2 COPIES)

LIBRARY COPY DO NOT REMOVE

NY Group Bids Ascap Decree For All Owners

nstead of Limiting Rule)nly to the Plaintiffs

New York exhibitor plaintiffs in ıe anti-trust action against Ascap esterday proposed that the relief) be granted by the District Court ere should be extended to cover all ıeatres in the country.

The plaintiffs hold that Ascap and its members should be restrained from enforcing public performance music rights against all exhibitors, rather than limiting the scope of the decree to the immediate parties.

The New York exhibitors contend hat in order for them to be "protect-d," Ascap and its members should be arred from splitting music perform-ıce and synchronization rights en-irely.

The plaintiffs' proposed decree was ıot actually presented to Ascap and he court until yesterday. Weisman, Celler, Quinn, Allan and Spett are epresenting the plaintiffs.

'CPAs' Will Aid in Percentage Audits

Arrangements have been made by Sargoy and Stein of New York, special counsel for major distributors, to work on film percentage audits of exhibitors' books and records in conjunction with Touche, Niven, Bailey and Smart, certified public accountants with offices throughout the country.

Timothy E. Benitz of the Sargoy and Stein staff, is now located in the St. Louis office of Touche, Niven, out of which he will supervise auditing operations in the St. Louis, Kansas

(*Continued on page* 4)

Ploeser Definitely Sets N.O. Hearings

ST. LOUIS, Nov. 4. — The Ploeser Congressional Small Business Committee will definitely hold hearings in New Orleans at a date approximately coinciding with the gathering of exhibitors in that city for Allied States' national convention, Nov. 29-Dec. 1.

Congressman Walter Ploeser, committee chairman, indicated the Small Business group will be interested in

(*Continued on page* 4)

Gus Eyssell Named Year's Film Pioneer

Gus Eyssell, executive manager of Rockefeller Center, Inc., and president of Radio City Music Hall, will be honored as the "Picture Pioneer of the Year," at the ninth annual dinner of the Motion Picture Pioneers on Nov. 17, at the Waldorf Astoria Hotel here.

E-L European Deal Is For Five Years

Eagle-Lion has signed a five-year agreement for the distribution of its Hollywood product in six European countries, the company reported here yesterday. The deal, involving substantial guarantees and percentage participation was consummated with Gamma Films of Lausanne, Switzerland, and Gestion et Participation Trust de Valduz, Lichtenstein. The latter organization, described as one of the largest holding companies on the Continent, owns Gamma and has extensive enterprises in many fields throughout Europe. Both are controlled by the Aga Khan.

Both Gamma and Gestion will distribute Eagle-Lion's American-made product, starting with 1947-48 releases, in Italy, France, Switzerland, Germany, Austria and Spain. According to the terms of the pact, Gamma agrees to establish, within the next six months, a full distribution system in those countries.

The agreement provides for joint

(*Continued on page* 3)

NEW HEARING OF US SUIT ASKED BY UA

Asserts Court Rulings Spread Chaos in Trade, Threaten Bankruptcy

United Artists has asked the New York Federal court for a complete re-trial of all issues affecting distribution because of the "chaotic confusion" which has enveloped the industry.

UA told the court that the U. S. Supreme Court's deletion of the "central arch," i.e., competitive bidding provision, from the New York decree of 1946 has made it "logical to assume that the entire system of licensing motion pictures has been placed in a very dubious and uncertain state for the consideration of the statutory court."

UA contends that the Government's proposed order in its case against all eight distributors indicates that it is concentrating on the divorcement of exhibition from production-distribution and that it, the Government, proposes nothing to "protect" UA, Co-

(*Continued on page* 4)

Dismiss SWG Suit vs. MPAA

Federal Judge Samuel Kaufman dismissed in U. S. District Court here yesterday the Screen Writers Guild's suit for an injunction to stop an alleged conspiracy by the industry against the employment of persons suspected of being subversive. SWG had filed the suit on last June 1, using as the basis for its action the resolution against the hiring of known Communists adopted by industry leaders six months earlier.

In granting Motion Picture Association of America's motion for dismissal, Judge Kauf-

(*Continued on page* 4)

MPEA Office in Rumania Is Seized

Seizure by the Rumanian government of the Motion Picture Export Association's office in Bucharest along with all films found there was reported by press dispatches reaching New York last night from the Rumanian capital.

The entire motion picture industry in Rumania had been nationalized by government decree earlier this week.

20th, WB File for Product in Phila.

PHILADELPHIA, Nov. 4.—A Federal District judge reserved decision today on a request from two companies to exhibit their pictures in theatres which they operate without offering them competitively.

William Goldman, independent theatre operator, contends that Warner Brothers and 20th Century-Fox are required under a court order granted two years ago by Judge William M.

(*Continued on page* 4)

MacArthur Case Is Under Advisement

WASHINGTON, Nov. 4.—Justice Matthew McGuire of the Federal District Court here, today took under advisement proposals of attorneys for Stanley Co. and the Kogod-Burka circuit regarding dissolution of their partnership agreement in the MacArthur Theatre here.

Attorney Robert Sher, for KB, asked a summary judgment in the anti-trust suit which his client brought against Warners Brothers' Stanley,

(*Continued on page* 4)

Owners Complain of Cuts By 'Jack-Rabbit' Drive-ins

MINNEAPOLIS, Nov. 4.— Scores of regular established theatre owners are complaining bitterly over the widespread outgrowth of admission price-cutting being practiced in this and other territories by itinerant "jack-rabbit" film operators.

Mobile units which pitch their tents in a clearing outside city or village limits represent one problem of inroads into the conventional theatre's prospective income from the hinterlands, but the price-cutting practices of fly-by-nights and the smaller outdoor operations close to the larger situations are furnishing the established exhibitor with still another problem.

The unfair competition heretofore stemming from the smaller 35mm. and

(*Continued on page* 4)

Columbia Dismissed From Dipson Action

BUFFALO, Nov. 4. — District Judge Knight today granted the dismissal motion of Columbia Pictures in the $5,000,000 trust action of Dipson Theatres against major distributors and Buffalo Theatres. Columbia was represented by Louis Frohlich who is now en route back to New York to argue the company's case in the Paramount, *et al.*, action.

At the same time Judge Knight dismissed that portion of the suit concerning an $80,373 damage claim which Dipson contends was based on losses at its Lackawanna Ridge Theatre as a result of alleged conspiracy of Shea interests and distributors.

Personal Mention

LEON GOLDBERG, RKO Radio studio manager, will leave here today for the Coast following a three-week visit.

•

BEN KALMENSON, Warner sales vice-president, arrived in Chicago yesterday from New York on the first stop of a tour of Midwestern branch offices.

•

FRANK C. HENSLER, M-G-M field assistant to JOHN J. MALONEY, Central sales manager, will leave New York today for his Detroit headquarters.

•

ANDY W. SMITH, JR., 20th Century-Fox general sales manager, left here last night for Pittsburgh. He is accompanied by SAM SHAIN, exhibitor relations director.

•

JOHN BALABAN, president of Balaban and Katz, Chicago, has been elected chairman of the West Central Region of the Joint Distribution Committee.

•

E. L. MCEVOY, Universal-International short subjects sales manager, and FRED MEYERS, Eastern division sales manager, are in Boston from New York.

•

HOWARD DIETZ, M-G-M advertising-publicity vice-president, has delayed his return to New York from the Coast until Monday.

•

C. J. FELDMAN, Universal-International Western division sales manager, is due back here tomorrow from a tour of Western exchanges.

•

A. J. O'KEEFE, Universal-International assistant general sales manager, returned to New York yesterday from a Midwest trip.

•

ALAN F. CUMMINGS, head of M-G-M exchange operations, left here yesterday for Chicago.

•

RUDY BERGER, M-G-M Southern sales head, left his Washington headquarters yesterday for Memphis.

•

L. A. AUDRAIN, Prestige Pictures executive, is back here from Cincinnati and Philadelphia.

Pryor Heads Critics Unit

Thomas M. Pryor of the *New York Times* has been voted the new chairman of the New York Film Critics Circle. Wanda Hale and Dorothy Masters, both of the *Daily News,* were elected vice-chairman and secretary, respectively. Pryor succeeds Otis L. Guernsey, Jr., of the *Herald Tribune.*

Guild for Blind Drive

The launching of the amusements industries division of the non-sectarian New York Guild for the Jewish Blind behind a drive for $600,000 was announced here by John Rosenthal, the Guild's citywide fund drive chairman. Vice-chairmen are Joseph Berlinger and James A. Goldsmith, Jr.

Pickman on Sales Drive Assignment

Max E. Youngstein, Eagle-Lion advertising-publicity president, has assigned Jerry Pickman to represent the department during the company's forthcoming 18-week "Mystery Sales Drive," starting Dec. 3. Pickman, working with Milton E. Cohen, Eastern sales manager, who is drive captain, will head a group of advertising, publicity and exploitation department personnel in the drive.

Each member of the home office promotion departments and field exploitation representatives will be assigned to one or more of the company's branches to handle special promotions.

Bell and Howell on $324,264 Profit - Side

CHICAGO, Nov. 4.—Bell and Howell earnings before Federal income taxes for the third quarter ended Sept. 30 amounted to $512,264 and net earnings after Federal taxes were $324,264, equivalent to 64 cents per share of common stock. Earnings before taxes for the nine months ended Sept. 30 amounted to $2,292,095, and net earnings after taxes were $1,428,095, equivalent to $2.90 per share, after provision for preferred stock dividends.

Henry Buys Two Fan Magazines

J. Fred Henry, president of the Henry Publishing Co., has purchased *Screenland* and *Silver Screen* from Liberty Magazine, Inc.

Henry is publisher of *Skyways Magazine.* In adding *Screenland* and *Silver Screen* he is returning to a field of publishing in which he spent 11 years as vice-president of Dell Publishing Co.

Krieg To Aid 'Dimes'

Saul Krieg, head of the public relations firm of Krieg Associates, has volunteered to serve as public relations chairman for the 1949 March of Dimes in Greater New York. Krieg was director of public relations for Philips H. Lord radio productions and was associated with Paramount Pictures prior to opening his own office here.

Johnston Discusses Book

Motion Picture Association of America president Eric A. Johnston, whose new book, "We're All in It," will be published on Monday by E. P. Dutton Co., discussed its contents at a luncheon in the Hotel St. Moritz here yesterday attended by newspaper and press association book reviewers. Elliott B. Macrae, Dutton president, was host.

Johnston in NBC Talk

Eric A. Johnston, president of the Motion Picture Association of America; Paul Hoffman, head of the Economic Cooperation Administration, and William Green, president of the American Federation of Labor, will discuss U.S. foreign policy on National Broadcasting's "America United" program at one P.M. on Sunday.

U. A. Sales Meeting In N.Y. Tomorrow

A sales conference of United Artists Eastern district and branch managers will take place tomorrow at the U.A. home office here. Edward M. Schnitzer, Eastern and Canadian sales manager, will lead product discussions with Paul N. Lazarus, Jr., executive assistant to president Gradwell Sears.

District managers who will attend include Jack Ellis, Metropolitan New York and New Jersey, and Moe Dudelson, covering Cincinnati, Cleveland and Detroit. Branch managers in attendance will be John Dervin, Boston; James L. Winn, Buffalo; Frank Meadow, New Haven; S. E. Applegate, Philadelphia; Leonard Mintz, Pittsburgh; Gerald P. Price, Washington; Jack Finberg, Cincinnati; Harris Dudelson, Cleveland; Sidney J. Bowman, Detroit.

Charles S. Chaplin, Canadian district manager, and Douglas Rosen, Toronto branch manager will also attend. Home office executives present will include Howard LeSieur, advertising-publicity director; Mark Silver, assistant Eastern sales manager, and Abe Dickstein, assistant to Schnitzer.

Allerhand Is Named M-G-M N. J. Manager

Lou Allerhand, who has been with M-G-M for more than 22 years, has been promoted to New Jersey branch manager, succeeding Ben Abner, resigned, by John P. Byrne, Eastern sales manager. The new appointment becomes effective Nov. 15.

In 1938, Allerhand was promoted to salesman for New York State, and has been New Jersey salesman for 10 years.

Thomson in New SAG Post for Television

HOLLYWOOD, Nov. 4.—In a move said to be necessitated by the Screen Actors Guild's increased administrative activities in the television field, the Guild has appointed Kenneth Thomson, one of the SAG founders and executive secretary until 1944, to the newly-created post of television administrator.

Spiegel To Manage Screen Guild Branch

CLEVELAND, Nov. 4.—Justin Spiegel has been appointed manager of the Screen Guild exchange in Cleveland succeeding Edwin R. Bergman, resigned. Spiegel had been an Eagle-Lion salesman out of Cleveland.

Nizer Speaks in Boston

BOSTON, Nov. 4.—Louis Nizer, industry attorney and executive secretary of the New York Film Board of Trade, was chief speaker at a dinner given at the Hotel Kenmore here this evening by the theatre division of the Combined Jewish Appeal of Greater Boston. Drive committee includes Max Levenson of the Levenson circuit, and Larry Laskey of the E. M. Loew's circuit as co-chairmen.

RADIO CITY MUSIC HALL
ROCKEFELLER CENTER
JOAN FONTAINE-JAMES STEWART
"YOU GOTTA STAY HAPPY"
EDDIE ALBERT
A WILLIAM DOZIER PRESENTATION
A UNIVERSAL-INTERNATIONAL PICTURE
SPECTACULAR STAGE PRESENTATION

"SEALED VERDICT"
starring RAY MILLAND with FLORENCE MARLY
A Paramount Picture
in Person FRANK CONNAR AINES DAVE BARRY THE CLARK BROTHERS JERRY WALD And His Orchestra
PARAMOUNT TIMES SQUARE MIDNIGHT FEATURE NIGHTLY

SAMUEL GOLDWYN presents
DANNY KAYE
VIRGINIA MAYO
"A SONG IS BORN"
COLOR BY TECHNICOLOR
Broadway at 45th Street ASTOR Cont. from 8:45 A.M. Midnight Show

J. Arthur Rank presents
"THE RED SHOES"
Color by Technicolor
BIJOU THEATER, 45th Street West of Broadway
All Seats Reserved, Mail Orders
Twice Daily
Extra Matinees Saturday and Sunday
Late Show Saturday Evening 11:30
An EAGLE LION FILM Release

"One Touch of Venus"
starring ROBERT WALKER AVA GARDNER DICK HAYMES
IN PERSON JEAN SABLON
Extra! BETTY BRUCE Special!
DICK & GENE WESSON
Extra TED STRAETER Special! and Orch.
Doors Open 10 A.M. CAPITOL B'way & 51st St.

FIRST TIME AT REGULAR PRICES!
RKO PRESENTS
"MOURNING BECOMES ELECTRA"
Brandt's MAYFAIR 7th Ave. & 47th St.

DARRYL F. ZANUCK presents
OLIVIA de HAVILLAND
the Snake Pit
Directed by ANATOLE LITVAK
Produced by ANATOLE LITVAK & ROBERT BASSLER
20th CENTURY FOX
RIVOLI B'way & 49th Street

REX HARRISON LINDA DARNELL
RUDY VALLEE BARBARA LAWRENCE
"UNFAITHFULLY YOURS"
A Twentieth Century-Fox Picture
ON VARIETY STAGE — PETER LIND HAYES - MARY HEALY - JACK COLE AND HIS DANCERS
ON ICE STAGE — FIESTA
ROXY 7th Ave. & 50th St.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

atellites to Compete ith U. S. Product

WASHINGTON, Nov. 4. — American ms will face stiffer competition in oviet satellite countries if Czech and nd Hungarian plans to step up do- estic production develop. Depart- ent of Commerce film chief Nathan . Golden reports here that the zechs plan to raise their schedule fea- from only 20 in 1947 up 56 v- 953.

In Hungary, he revealed, the newly ationalized film organization plans to etter its position in relation to for- gn films, although there is no long- nge goal yet comparable to the zech five-year plan. The Hun- arians plan to build some 800 new neatres, Golden said.

Goldsmith Leaving For Loew U.K. Post

Arthur M. Loew, president of Loew's nternational, was host yesterday at a ocktail party in Loew's State Build- ng, at which the home office staff of nternational gathered to bid bon voy- ge to Charles Goldsmith, who will ave tomorrow for England on the Queen Elizabeth.

Special assistant to vice-president Morton A. Spring and coordinator of M-G-M activities for the British Em- ire, Goldsmith will remain in Eng- and for six months as assistant to Samuel Eckman, Jr., managing direc- or of M-G-M in Great Britain.

Hamlet' May Lower Curtain on Apollo

CHICAGO, Nov. 4.—J. Arthur Rank's 'Hamlet," which is being distributed by Universal-International, will prob- bly be the last film to play at the B. and K. Apollo. The theatre, which has been leased by U-I on a four-wall deal for an indefinite run, will be razed shortly after the first of the year to make way for a bus terminal. The "Hamlet" run will open Nov. 24.

Flaherty Film Deal

World-wide distribution rights, ex- cept for the U. S., of Robert Flaher- ty's "The Louisiana Story" have been acquired by Films International of America, it has been announced by Irvin Shapiro, general manager.



MEMBER FEDERAL DEPOSIT INSURANCE CORPORATION

DOUGLAS 4-ENGINES
FLY OVERNITE TO CALIFORNIA
COAST TO COAST $88 PLUS TAX
DC-4 • 12 HOURS
Skycruises inc.
CALL BRYANT 9-3707
108 W. 43rd St. Hotel Diplomat

Reviews

"When My Baby Smiles At Me"

(20th Century-Fox)

PUT Betty Grable and Dan Dailey in a Technicolor musical and you have at the very start a picture of popular appeal. For the most part, "When My Baby Smiles at Me" is a pleasing recreation of the theatrical world of an era now regarded as "the good old days." The picture is nicely adorned with songs, dances and nostalgic memories, but the narrative for the most part remains pretty much the mixture as before.

Lamar Trotti provided the screenplay which has Dailey, a song-and-dance comic, married to Miss Grable, his stage partner. Dailey loves his talented partner but he loves liquor too. And that, plus the attentions of another woman, lead him to a sad state of affairs. Things finally develop to a point where Miss Grable is about to divorce him to marry a steadier man, and this sends Daily into a complete breakdown. A finale, in the show-must-go-on tradition has Miss Grable go to his rescue, assuring him that she could be married happily to no one else.

High spots of the film are marked by the song and dance numbers of the principals. One of the more memorable touches being provided by a Dailey impersonation of Ted Lewis. Jack Oakie and June Havoc, as comic and burlesque queen, respectively, contribute some of the picture's best moments. Others in the cast include Richard Arlen and James Gleason. George Jessel produced, from an adaptation of a play by George Manker Watters and Arthur Hopkins. The picture's exploitable title is derived from one of the song numbers. Walter Lang directed.

Running time, 98 minutes. General audience classification. For November release.

MANDEL HERBSTMAN

"Jungle Patrol"

(Seltzer—20th Century-Fox)

A DEARTH of physical action and excessive reliance upon conversation to whip up excitement and sympathy rob this Frank N. Seltzer production of whatever suspense and feeling may have been written into Francis Swann's screenplay, which was based on a play by William Bowers and adapted by Robertson White. Not that the fault lies with director Joe Newman, for there is evidence of a definite striving to keep things moving despite handicaps.

Maybe it would have been a good idea to give the screenplay a plot. The handful of personable young men and the young lady who are cast in this pedestrian account of life in a U. S. Army Air Force outpost in the Pacific during the late war with Japan appear sorely in need of something to do besides exchanging alternatingly happy and gloomy looks and mouthing prosaic observations on the vagaries of fate. When, finally, there appears to be no point in continuing the players in these activities, scripter Swann has them conveniently killed by a Japanese air armada.

The cast features Kristine Miller and Arthur Franz, and includes Ross Ford, Tom Noonan, Gene Reynolds, Richard Jaeckel, Mickey Knox, Harry Lauter, Bill Murphy and G. Pat Callins.

Running time, 76 minutes. General audience classification. For November release.

CHARLES L. FRANKE

E - L Europe Deal

(Continued from page 1)

production by Eagle-Lion and Gamma in France and Austria. Both companies will make at least one picture per year in each country.

Final negotiations began here two weeks ago, following a preliminary five-months' survey of Europe by H. William Auten, Eagle-Lion foreign department representative. Auten returned via plane from Paris a fortnight ago.

Representing Eagle-Lion during the final negotiations were president Arthur B. Krim; Robert S. Benjamin, president of J. Arthur Rank Organization; Sam L. Seidelman, E-L export manager, and William C. MacMillen, vice-president in charge of operations. Gamma and Gestion were represented by Alfredo Zappelli, European financier and managing director of both companies, and his two associates, Ben Barkay and Pierre Chavennes, all of whom flew here from Lausanne.

Nordlys Names Sherman

WASHINGTON, Nov. 4.—Sherman Plan, Inc., has been appointed American sales representative for A/S Nordlys Films, Norwegian film producer, it is announced here by Al Sherman. First Nordlys production, "Trollfossen" ("Troll Falls") is now in this country and distribution negotiations are under way.

Seven New Pictures Reviewed by Legion

Seven new films have been rated by the National Legion of Decency. In Class A-I is Republic's "Grand Canyon Trail." Classed A-II are 20th Century-Fox's "Belle Starr's Daughter," RKO Radio's "Blood on the Moon," Universal - International's "Countess of Monte Cristo" and "Her Man Gilbey," Eagle-Lion's "Shed No Tears" and 20th Century-Fox's "The Snake Pit."

Chicago Board Bans Two, Cuts Others

CHICAGO, Nov. 4. — Adult-only classifications were placed on "The Snake Pit" (20th-Fox), "Kiss the Blood Off My Hands" (U-I), and "Mistress Temptation" (Aztec), by the Chicago censor board, out of 89 pictures reviewed during October.

The board rejected "The Merry Chase" (Super-Italian) and "Sinner" (Aztec-Mexican), and made cuts in 14 other films.

175 at Smakwitz Dinner

ALBANY, N. Y., Nov. 4.—Some 175 are expected to attend the testimonial dinner to be given on Nov. 15 by the Variety Club to Charles Smakwitz, recently promoted to Warner theatre zone manager in this area.



People everywhere roared at the Sat. Eve. Post Serial story...
"YOU GOTTA STAY HAPPY"
now a super-hilarious screen scream!

EK Consent Decree Is Expected Soon

WASHINGTON, Nov. 4. — Department of Justice spokesman discloses here that a consent decree in its monopoly suit against Eastman Kodak is expected to be announced shortly. Apparently it is all set but the actual signing. The suit also involves Technicolor and applies to the color-film field.

Presumably Eastman would agree to make certain patents, which Justice claims gave Technicolor a "stranglehold," freely available to all firms on payment of reasonable royalties, to terminate certain contracts with Technicolor which Justice objects to, and not to discriminate in various other ways.

The suit against Technicolor will go to trial, Justice still believes.

Ploeser Hearings

(*Continued from page* 1)

exhibitors' problems for some time to come.

"The committee is intensely interested in the motion picture theatre testimony to date," he said. "It forms one of the major problems arising in our hearings. The pattern of the testimony has been the same. It would indicate clear attempts to 'rig' the market for films by holding them back.

"At present, however, the committee has not arrived at any conclusions. It is too early to discuss the question of remedial legislation."

The New Orleans hearings will be conducted by Congressman R. Walter Riehlman (Rep., N. Y.) and Wright Patman (Dem., Tex.). James W. Foristel, executive director of the committee, said they will probably be convened in the New Orleans Federal Building.

While the committee members are going to New Orleans specially to accommodate the motion picture owners assembling there, the hearing will be open to other than motion picture business. With a general hearing scheduled for Washington, Nov. 15, however, the New Orleans agenda will probably be clear of other business.

If, as some exhibitors promise, the divorcement issue is raised in testimony, there is every prospect it will get the green light. To date, it has proved impossible to keep the U. S. Attorney-General's handling of the divorcement case out of the hearings.

Owners Complain

(*Continued from page* 1)

16mm. outdoor stands has been confined largely to free admissions for children under 12, which allegedly has meant children under 25 years of age. This no longer holds, with price-cutting being done all along the line.

Competitive year-around stands know they can't do anything about exerting pressure on the outside suppliers of 16mm. product for free shows, but they are looking for cooperation from the 35mm. distributors serving regular theatres.

North Central Allied has complained to the state fire marshal that some mobile units are not complying with state fire regulations, indicating the exhibitor association plans to attack the "jack-rabbit" drive-ins and fly-by-nights as law violators.

New Hearing Asked

(*Continued from page* 1)

lumbia and Universal in their efforts "to remain in the business of distributing motion pictures."

In asking for the new trial on trade practices, UA cites the number of private anti-trust suits which have "sprung up over the country." The film company thereupon charges:

"These suits may well bankrupt the entire industry because of the chaotic confusion created by judicial legislation and uncertain rules of measuring alleged damages in the many reported and unreported decisions in cases brought by the Government against industry and private individuals against industry."

UA takes issue with the Government's proposed judgment which, among other things, would place a ban on move-over runs and extended runs so far as all circuits as well as affiliated exhibitors are concerned. UA takes the position that the Government in this instance is endeavoring to effect an order similar to Chicago Federal Court Judge Igoe's decree which limits first-run engagements in that city's downtown area to two weeks with few exceptions.

Elaborating on what the company sees as a threat to its entire system of licensing, UA attacks the ban on price fixing as it now stands because percentage selling is what "keeps the distributors in business" and percentage scales are fixed in accordance with admission scales.

The company apparently aims to get around this, although it does not expand on its announced intention of offering "a method that will protect the distributor and exhibitor and which will not stop the exhibitor from raising or lowering admission prices"

RKO Jackson Park Hearing on Tuesday

CHICAGO, Nov. 4.—Hearing on RKO's appeal to be exempted from contempt charges in the Jackson Park case will be heard on Tuesday in Circuit Court of Appeals here. RKO attorney Miles Seeley will present arguments claiming that the RKO Palace and Grand theatres are separate entities from the distribution company, in which case the two houses should not be restricted to two-week Loop runs under the Jackson Park decree. Tom McConnell, Jackson Park lawyer, is returning from California to oppose the appeal.

MacArthur Case

(*Continued from page* 1)

arguing that the U. S. Supreme Court decision in the Paramount case outlaws partnership deals such as that in the MacArthur.

Attorney Philip Amram, for Stanley, asked dismissal and challenged the right of KB to use the high court decision or any other decision in the Paramount case before the Paramount case is closed. There is no assurance how the New York District Court will rule on the MacArthur partnership, for instance, or on any other partnership, he told the court. Amram mentioned that the proposed RKO consent decree provides for RKO to remain on a non-participating basis on the RKO-Proctor partnership in Newark.

Amram argued also that the high court decision simply orders that partnerships be dissolved, legal or not, and that it does not hold deals such as that in the MacArthur case to be illegal. He also raised the possibility that the court might follow the RKO pattern to the extent of chipping Stanley Co. off from the Warner organization and permitting it to operate as an independent circuit. In that case, he said, the MacArthur partnership could be continued.

Judge McGuire broke in despairingly several times during the argument to call for settlement of the case by opposing counsel.

W.B. Ohio Prices Raised

CLEVELAND, Nov. 4. — Nat Wolf, Warner Ohio zone manager, announces both matinee and evening admissions have been advanced five cents at Warner houses in Sidney, Portsmouth, Mansfield, Lima and at the Variety Theatre, Cleveland.

Dismiss SWG Suit

(*Continued from page* 1)

man gave the plaintiffs leave to file an amended complaint, and indicated that charges in a new complaint must be shorter and more concise.

The jurist ruled: "Enumeration of writings, plays and the like contained in the complaint should be omitted as evidentiary, and also other portions of allegations should be omitted." Judge Kaufman said no other amendment "is specifically directed," however.

Thirty were listed as plaintiffs in the suit, and included screen writers and members of the Authors League of America. Named as defendants in addition to MPAA were the Society of Independent Motion Picture Producers, MPAA president Eric A. Johnston, and major producers.

20th, WB File

(*Continued from page* 1)

Kirkpatrick to put all pictures up for competitive bidding.

Goldman, in Dec., 1946, won a $375,000 damage suit against 11 companies, including Warner and Fox, for conspiracy in violation of the Federal anti-trust laws. He charged then that producers deprived him of first-run feature films for his Philadelphia Erlanger Theatre.

Warner and Fox attorneys told Judge Kirkpatrick they want to show their own films in their own theatres. Such action, it was stated, would not conflict with the 1946 decree.

Sues Over High License

MINNEAPOLIS, Nov. 4. — Suit has been brought against the city of Lake Geneva, Wis., by Kenosha Standard Theatre Co., operator of the Geneva Theatre, charging a high license fee has been used as a source of revenue, rather than a levy to cover estimated cost of filing and policing the property. In the suit, a judgment for $1,057 is asked by the company, claiming that amount was paid the city in 1947 and 1948 for license fees at 75 cents each for 705 seats in the Geneva.

Wyler Gets Rights

Director William Wyler has acquired remake rights of Marcel Pagnol's trilogy, "Marius, Fanny and Cesar," according to an announcement from Siritzky International Corp. Wyler plans to produce the American version of the trilogy.

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

TORONTO

Foggy conditions for several days brought traffic tangles in and around Toronto and kept people from going downtown to the big showplaces, with hydro-electric blackouts adding to the confusion. Only three theatres were above average. Estimated receipts for the week ended Nov. 4:

THE BEST YEARS OF OUR LIVES (RKO Radio)—ODEON (2,319) (20c-35c-50c-60c-70c-80c-$1.20) 6 days, 2nd week. Gross: $14,500. (Average: $16,000)

CRY OF THE CITY (20th-Fox)—EGLINTON (1,086) (20c-36c-50c-66c) 6 days, 2nd week. Gross: $5,400. (Average: $6,900)

CRY OF THE CITY (20th-Fox)—TIVOLI (1,434) (20c-36c-50c-66c) 6 days, 2nd week. Gross: $6,700. (Average: $8,200)

AN INNOCENT AFFAIR (UA)—UPTOWN (2,761) (20c-36c-50c-66c-90c) 6 days. Gross: $12,100. (Average: $10,600)

JULIA MISBEHAVES (M-G-M)—LOEW'S (2,074) (20c-36c-50c-66c-78c) 6 days. Gross: $16,700. (Average: $14,200)

THE LOVES OF CARMEN (Col.)—SHEA'S (2,480) (20c-36c-50c-66c-90c) 6 days, 2nd week. Gross: $13,700. (Average: $14,700)

STATION WEST (RKO Radio) and VARIETY TIME (RKO Radio)—NORTOWN (950) (20c-42c-60c) 6 days. Gross: $4,000. (Average: $5,000)

STATION WEST (RKO Radio) and VARIETY TIME (RKO Radio)—VICTORIA (1,240) (20c-36c-42c-60c) 6 days. Gross: $4,560. (Average: $5,800)

STORMY WEATHER (20th-Fox) and ALI BABA GOES TO TOWN (20th-Fox)—DANFORTH (1,400) (20c-36c-50c-60c) 6 days. Gross: $5,400. (Average: $6,000)

STORMY WEATHER (20th-Fox) and ALI BABA GOES TO TOWN (20th-Fox)—FAIRLAWN (1,195) (20c-36c-50c-55c) 6 days. Gross: $4,400. (Average: $5,000)

THE VELVET TOUCH (RKO Radio)—IMPERIAL (3,343) (20c-36c-50c-66c-90c) 6 days. Gross: $16,600. (Average: $14,600)

VIGILANTES RETURN (U-I) and CODE OF SCOTLAND YARD (Rep.)—BILTMORE (938) (15c-30c-36c-55c) 6 days. Gross: $4,500. (Average: $4,800)

ATLANTA

Business is fair at all theatres here with the biggest business grossing at the Roxy. Estimated receipts for the week ended Nov. 3:

BEYOND GLORY (Para.)—FOX (4,446) (12c-50c). Gross: $14,500. (Average: $15,000)

EL DORADO PASS (Col.)—ROXY (2,446) (40c-76c). Stage show. Gross: $16,000. (Average: $5,800)

MOONRISE (Rep.)—PARAMOUNT (2,446) (12c-50c). Gross: $5,500. (Average: $5,800)

RED RIVER (UA)—LOEW'S GRAND (2,446) (17c-54c). Gross: $16,000. (Average: $15,000)

Percentage Audits

(*Continued from page* 1)

City, Indianapolis, Memphis, Oklahoma City and Dallas exchange areas. Samuel E. Feldan, also of the Sargoy and Stein staff, will be located this month in the Los Angeles office of the Touche, Niven firm, from which he will supervise auditing operations in the Los Angeles, San Francisco, Portland, Seattle, Salt Lake City and Denver exchange areas.

Dostal in RCA Post

CAMDEN, Nov. 4.—Appointment of John J. Dostal as field sales manager of 16mm. sound projectors for RCA was announced here today by H. V. Somerville, products manager.

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. NO. 89 NEW YORK, U.S.A., MONDAY, NOVEMBER 8, 1948 TEN CENTS

FILE COPY DO NOT REMOVE

MOTION PICTURE ASSOC. OF AMERICA, INC. (CHAMBERS) 28 WEST 44TH ST., NEW YORK 18, N. Y.

UA-SRO Deal To Distribute In Final Stage

Agreement Is Expected to Go Before Board Today

Negotiations which have been under way here for several days which would give United Artists physical distribution of Selznick Releasing Organization product are understood to have reached the stage on Friday night whereby an announcement of a decision appeared to be possible at any time.

SRO would retain its present sales force here and in the field, with a close working arrangement effected between it and UA's sales force. Replacing the usual flat distribution charge, it was indicated, would be a sliding percentage scale based on the amount of a production's gross.

The conferees at the weekend were proceeding with the intention of pre-

(Continued on page 3)

Kreisler Finds Film Interest Increasing

British industry leaders continue to profess the belief that their films are arbitrarily withheld from American film patrons despite the successes which some of their pictures have registered here, Bernard B. Kreisler, who recently completed a 13 months' survey of European film activities for the Harvard Graduate School of Business, said here on Friday.

The fact that occasional British films are financially successful here and that many have been extravagantly received and publicized by American critics does nothing to dissipate

(Continued on page 4)

New Power Cuts Irk Toronto Exhibitors

TORONTO, Nov. 7—Local exhibitors are up in arms over the order by the Hydro-Electric Commission providing for a 45-minute evening blackout starting tomorrow at seven P.M. This is in addition to the day-time power curtailments which totaled two hours last Thursday and Friday.

Neighborhood theatres claim the night blackouts, which are scheduled

(Continued on page 4)

Some U.K. Theatres Have Lower Quota This Year than Last

LONDON, Nov. 7.—Many of Britain's theatres will be required to play fewer British pictures in the coming year under the new 45 per cent quota law than in the previous year when the quota of British first-feature films was only 20 per cent, in consequence of the formula for quota relief which has been established by the Board of Trade.

The BOT has conceded relief from the new quota to 1,353 of Britain's 4,706 theatres in degrees varying from 40 to 10 per cent of the new quota.

BOT officials decline to reveal how many of the theatres conceded relief

(Continued on page 4)

Altec Re-shuffling Its Field Forces

Altec Service Corp. plans to modernize and equalize the territorial coverage of its field forces. To simplify the present managerial framework, the areas comprising the New York, Philadelphia and Boston districts have been consolidated into a newly-created Eastern division, with headquarters here, according to an announcement by H. M. Bessey, Altec executive vice-president.

Promoted to the new post of division manager is C. S. Perkins, formerly manager of the New York district. A. J. Rademacher has been raised to the new position of business manager of the division. R. D. Fair-

(Continued on page 3)

National Theatres To Give Away 30 Cars

Los Angeles, Nov. 7.—Thirty automobiles and considerable other merchandise will be given away by National Theatres, in cooperation with merchants, during the final two weeks of the circuit's annual sales drive, in December, to stimulate business for the closing fortnight and offset any holiday slump.

Canada Seeking to Monopolize Video

TORONTO, Nov. 7.—That the Dominion government intends to make a government monopoly of television—a fact not contested by federal authorities—is apparent in the action last week of the Canadian Broadcasting Corp. in postponing indefinitely its decision on applications of Famous Players Canadian and five others for television operating licenses.

The government company has made a tentative offer to sell video programs to private enterprises such as the applicants but does not promise such service before two years. Licensing of household receivers at $12 a year, plus an unstated larger fee for the government service when used before audiences, has been proposed by the CBC.

Meanwhile, what effect the government monopoly would have on Famous Players' plan to set up a Canadian newsreel camera service specifically to supply video could not be determined.

Court Bout Is On Today in U.S. vs. Para.

Companies, Gov't Wide Apart; RKO Decree Due

Company defendants with the exception of RKO will clash anew with the Department of Justice today when the case of U. S. vs. Paramount, *et al.*, reopens in New York Federal court.

Terms of the separate settlement by RKO and the Department calling for reorganization of the company by disjoining exhibition from production-distribution will be presented to the court, with early approval expected.

The government is on record in favor of the RKO plan and is seeking an order calling for the early divestiture in part and ultimate and complete divorcement of the theatres of the other four companies.

The government maintains that further hearings should be held for the "sole purpose of supplying relief additional" to that contained in the New York court's decree of 1946, which

(Continued on page 3)

Eiseman Is Named WB District Chief

Ben Kalmenson, Warner sales vice-president, has promoted Clarence Eiseman, the company's New York branch manager, to the post of Metropolitan district manager, with headquarters in New York. He replaces Sam Lefkowitz who is on a temporary leave of absence due to ill health.

Kalmenson also appointed Ben Abner, manager of Metro-Goldwyn-Mayer's New Jersey branch office, to replace Eiseman as Warner's New York manager.

Eiseman has been with Warner as New York manager for the past five

(Continued on page 3)

Allied in Pittsburgh Considers Smith Plan

PITTSBURGH, Nov. 7.—The Smith-Berger conciliation plan was taken under advisement here on Friday by the board of Western Pennsylvania Allied, after it was explained to members at a meeting with 20th Century-Fox general sales manager A. W. Smith, Jr. Fred Beedle presided at the meeting which was also attended by Sam Shain, director of 20th's exhibitor relations; Weldon Waters, Pittsburgh manager and Wally Allen, exploiteer.

Wanger Warns Industry To Abandon Complacency

The complacency which has preceded debacles in the fields of politics and the theatre is prevalent in the motion picture industry today, and unless the major companies recognize quickly the harm that is inherent in "formula" and "orthodox" methods and policies, and act accordingly, those companies will "flop." So declared independent producer Walter Wanger on Friday, as he made a hard-hitting appeal for "intelligent showmanship" and greater dependence on the abilities of the people responsible for motion picture advertising, publicity and exploitation.

"The public is 'hep' today," Wanger warned in his address before a luncheon-meeting of the Associated

(Continued on page 3)

Para. Cuts Arkansas Clearance 18 Days

Paramount has reduced first-run clearances in Little Rock, Ark., from 60 to 42 days with all subsequent availabilities moving up accordingly.

The company is continuing its program of reducing clearances with almost constant investigations of film marketing and trade conditions.

The Little Rock cut was the third in recent months, following similar moves in Indianapolis and Minneapolis. Lopping off 18 days in Little Rock presents one of the most substantial reductions made to date.

Personal Mention

D. A. DORAN, Paramount production executive, is here from the Coast for a two-week stay.

•

CHARLES P. SKOURAS, president of National Theatres, and MRS. SKOURAS announced the engagement of their niece, MISS CONSTANTINA SKOURAS of Athens, Greece, to WILLIAM OLDKNOW, son of MR. and MRS. OSCAR OLDKNOW, at a dinner-dance at the Bel Air Country Club, Hollywood, Saturday night.

•

ROBERT M. SAVINI, Astor Pictures president, returned to New York over the weekend from a trip through the South, while JACQUES KOPFSTEIN, executive vice-president, left on Friday for a tour of exchanges en route to Florida.

•

INGRID BERGMAN is due here today from the Coast for the premiere of "Joan of Arc" at the Victoria Theatre on Wednesday. VICTOR FLEMING, director, arrived here at the weekend.

•

CHARLES SIMONELLI, Universal-International Eastern exploitation manager, returned to New York at the weekend from Baltimore.

•

GEORGE F. VAN WEYENBERGH, assistant manager of Westrex's Brussels office, has arrived here from his headquarters.

•

ALAN F. CUMMINGS, head of M-G-M exchange operations, is due in Milwaukee today from Chicago.

•

GENE KELLY, M-G-M star, flew to London over the weekend from New York.

Johnston's "We're All in It" Out Today

"We're All in It," Eric Johnston's new book, is published today by E. P. Dutton and Co. The Motion Picture Association of America president describes it as the "back stage story of the global drama of today," covering his international contacts with the great, near-great and nondescript.

Discounting war in the foreseeable future, he calls for a stronger America whose foreign policy should not be shaped by "a few politicians." "We're all in it," he says, "and the lives of everyone of us will be affected by what we do or don't do as a great world power in the years immediately ahead."

Truman Is Televised On Paramount Screen

President Truman's return to Washington following his election was televised on the large-screen of the Paramount Theatre on Friday. The video report was relayed from the Capital to local stations and to the theatre here. The Paramount, using its special process, photographed the television images in its projection booth and projected the film on its screen.

New Film Cabinet to Aid Fire Protection

Washington, Nov. 7.—A 1,500 degree flame failed even to heat 24 cans of nitrate film in a new film storage cabinet demonstrated here by John G. Bradley, on leave from the Library of Congress. Although the cabinet was completely surrounded by flame, the film was said to have come out cool and completely undamaged.

It was shown to be resistant to fire within the cans as well, in a test during which one can within the cabinet was ignited from without by an electric wire. The film within that can was completely destroyed—but 23 other can were untouched.

Three Variety Tents Elect New Officers

Variety tents of Washington, Philadelphia and Charlotte have elected new officers for 1948-49.

In Washington, officers of Tent No. 11 elected by the new board of governors include: Jake Flax, Republic branch manager, chief barker, succeeding Frank Boucher, who will serve as national canvasman; Wade Pearson, district manager for Neighborhood Theatres, first assistant chief barker; Morton Gerber, District Theatres executive, second assistant; Sam Galanty, Columbia division manager, treasurer, and Jerry Adams, M-G-M branch manager, property master. Nathan D. Golden, head of the motion picture bureau of the Department of Commerce, and Fred S. Kogod, of Kogod-Burka Theatres, were named delegates to the 1949 Variety convention, to be held in San Francisco, while J. E. Fontaine and Pearson were elected alternates.

Election was held by the Philadelphia Variety Club, Tent No. 13, and the following crew members were named: Clint Weyer, Frank MacNamee, Al Davis, Jack Greenberg, Mike Felt, Meyer Edelman, Jack Burrison, Ben Biben, Dick Blanc, Hal Cohen, Bill Doyle, Ed Emanuel, Charles Goldfine, Fred Mann, Harry Penneys and David Supowitz. The two delegates chosen for the International Variety Club are Al Davis and Jack Greenberg; alternates are Earl Sweigert and Hal Cohen.

Charlotte's Variety Club selected the following crew: Scott Lett, who will be chief barker; Al Dureen, Joe Bishop, Rovy Branon, A. B. Carver, Tom Little, H. F. Kincey, Earl Mulwee, Augustus Stout and Paul Hargett.

'Joan' Opening on Video

The premiere of "Joan of Arc," starring Ingrid Bergman, will be telecast in a special 30-minute program by WJZ-TV on Wednesday night from the remodeled Victoria Theatre here. Proceeds of the event will go to the United Hospital Fund.

Theatre Alarm Setup Monopolistic: ITOA

Independent Theatre Owners Association of New York has "taken steps to crush" the American District Telegraph system here which, it is alleged, "exercises monopolistic control over an out-moded fire alarm service which furnishes a telegraphic communication between theatres and the fire department, to be used in cases of emergency."

An ITOA appeal against the system to the City Board of Hazardous Trades has been rejected without opinion. The organization, a spokesman said at the weekend, will now seek remedies within the Fire Department and the Board of Standards and Appeals.

The system, ITOA claims, "was set up during the 'horse and buggy' days prior to the general use of the telephone, at a time when modern fire safety provisions did not prevail and when inflammable scenery was utilized or stored backstage." ITOA charges that "unnecessary and exorbitant fees are exacted from all theatres with a capacity in excess of 600 seats" under the system. No legal basis exists for the continuation of these fire alarm communications in theatres under present law, ITOA holds.

Wilson Finds Use For Blocked Funds

LONDON, Nov. 7.—Harold Wilson, president of the Board of Trade, would like to see American film companies utilize some of their unremittable sterling here in the building and maintenance of an Oxford University Theatre.

He expressed the hope in opening an exhibition of models of a proposed building at Oxford recently, remarking, too, that with the aid the British film industry is being given by the government it, too, might be prosperous enough to make a contribution.

Flaherty Testimonial

Roberty Flaherty, director and producer of documentaries, among which "The Louisiana Story" is in current release, will be honor guest at a testimonial luncheon to be held on Wednesday at the Sheraton Hotel here by the New York Film Council. Willard Van Dyke, Council president, will preside.

Reception for Diplomats

Representatives of the United Nations Educational, Social and Cultural Organization and Australian, Philippine and Siamese government officials will attend a reception and premiere here this afternoon of a film series entitled "Our Changing World," at the RCA Exhibition Hall.

'IA' Member to Congress

Roy W. Wier, member of IATSE Local No. 13, Minneapolis, was elected last week to a seat in the U. S. House of Representatives, the "IA" office here announced at the weekend. A Democrat-Farmer-Laborite, Wier defeated incumbent Congressman George MacKinnon, Minnesota Republican.

Newsreel Parade

HARRY S. TRUMAN's surprising election victory is covered by all current newsreels, and two devote their entire footage to that event. Other happenings spotlighted include wrestling, football and the Palestine war. Complete synopses follow:

MOVIETONE NEWS, No. 89—Truman's dramatic triumph. Israeli forces battle Arabs in Negev. Six-day bike race at Chicago. "Georgeous George" wrestles in Canada.

NEWS OF THE DAY, No. 219—The Truman Story.

PARAMOUNT NEWS, No. 22—Israeli victims in Negev desert fighting. Truman's smashing victory.

UNIVERSAL NEWSREEL, No. 193—Football: Michigan State vs. Oregon State. Women coal sorters. Greek anniversary. *S. S. Queen Mary* in drydock. Palestine war. Truman wins.

WARNER PATHE NEWS, No. 24—Election special: Truman wins.

To Bid D. of J. Rule On 'Disc' Formula

Ruling by the Department of Justice on legality of the formula mapped out between the American Federation of Musicians and the phonograph recording industry to end the recording ban in effect since Jan. 1, 1948, will be sought in Washington on Wednesday, AFM president James C. Petrillo announced here on Friday.

Under the formula, a public music fund to be administered by a trustee would provide about $1,500,000 worth of free public music annually from royalties paid by the recording industry. The fund, previously administered on a one per cent cost basis by the Federation, is threatened with extinction by passage of Federal legislation which terminated contracts between the union and the musicians for payment of such royalties, Petrillo said.

Radio Writers Halt Strike, Resume Talks

The negotiating committee of the Radio Writers' Guild, a branch of the Authors League of America, has resumed contract talks with a group of advertising agencies and radio-program sponsors against whom the writers have been on strike here for 10 days. As a result of the resumption of talks, it was announced that the guild would suspend strike action against all advertising agency-produced shows. J. R. Mandelbaum, assistant regional director of the United States Conciliation Service, proposed the strike suspension last Tuesday.

SWG Election Nov. 17

HOLLYWOOD, Nov. 7. — Election meeting of the Screen Writers Guild will be held on Nov. 17 following a meeting by the SWG board to interview candidates for election. The board has approved motions for several constitutional amendments to be submitted to the membership, including the raising of a quorum to 20 per cent from 10 per cent and provision for mail referendums.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco. London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.


To a Waiting World..

WORLD PREMIERE

THURSDAY, NOVEMBER 11, 1948

VICTORIA THEATRE

Broadway at 46th St., New York, N.Y.

JOAN OF ARC

starring **INGRID BERGMAN**

A **VICTOR FLEMING** PRODUCTION

Produced by **WALTER WANGER**

Directed by **VICTOR FLEMING**

Based on the Stage Play "JOAN of LORRAINE" by MAXWELL ANDERSON

Color By TECHNICOLOR

A CAST OF THOUSANDS

with JOSE FERRER

FRANCIS L. SULLIVAN • J. CARROL NAISH • WARD BOND

SHEPPERD STRUDWICK • HURD HATFIELD • GENE LOCKHART

JOHN EMERY • GEORGE COULOURIS • JOHN IRELAND and CECIL KELLAWAY

Screenplay by MAXWELL ANDERSON and ANDREW SOLT • Art Direction by RICHARD DAY

Director of Photography JOSEPH VALENTINE, A.S.C.

Presented by SIERRA PICTURES, INC. • Released by RKO RADIO PICTURES

U S vs Para.

(*Continued from page* 1)

was upheld by the U. S. Supreme Court. The government has offered new findings and conclusions of law and offered them as adequate for the fashioning of a new decree by the New York court. The case is back in the New York court, "not for retrial, but for an amendment of an existing injunction and for additional findings appropriate to the amendments adopted," the government said, in offering its findings.

Loew's was first to take an opposite stand with a memorandum holding that the U. S. Supreme Court had ordered a full inquiry into theatre acquisitions and their subsequent operations as a means of determining the extent, if any, of illegal market control. Loew's charged that the government did not furnish any new proof to support its move for divestiture and divorcement.

Asked New Inquiry on Theatres

Paramount subsequently asked the court to take upon itself the "burdensome task" of a new investigation into theatre ownerships with the indication that this would mean another long trial.

The stand taken by Loew's and Paramount is expected to be endorsed by 20th Century-Fox and Warners today by way of memorandums to the court.

In what probably was the most surprising of all the more recent maneuvers by defendants in the case, United Artists last week asked for a complete re-trial of all the distribution issues before the court. It was UA's claim that previous rulings in this and other government and private cases, had left the entire system of licensing motion pictures in a "very dubious and uncertain state."

UA, continuing, said that the entire distribution structures of the "Little Three" were jeopardized by the government's alleged attitude of doing nothing to "protect" them in their efforts to remain in business.

Actually, the government in its proposed new findings, conclusions and amended judgment concerned itself extensively with the divestiture issues and gave little space to distribution practices.

Columbia, Universal Silent

Columbia and Universal have yet to be heard from, formally, but it is anticipated that they will align themselves with UA during the course of the hearing. Universal is understood to have already prepared a memorandum objecting to, among other things, one government finding which the company feels could be interpreted to mean that clearances would be justified only in the absence of prints.

The New York court has expressed itself as being unfriendly to the idea of protracted proceedings from now on and indicated that a special master might be appointed to take over.

New York attorneys have privately speculated on this, even to the extent of discussing the court's likely candidates for the job. Suggestion was heard that if a master is to be named, the court might look to the American Arbitration Association's Appeals Board which comprises George W. Alger, chairman, Albert W. Putnam and Robert McC. Marsh. They are said to be particularly qualified because, while they have knowledge of the industry, they have no ties to it that might subconsciously influence them.

It was Circuit Court Judge Augustus N. Hand, senior of the three jurists sitting in the case, who first broached the idea of assigning the remainder of the proceedings to a master.

Byrnes Fails to Attend Scheduled Meet with Clark

WASHINGTON, Nov. 7.—The last-ditch conference slated for Friday between Attorney General Tom Clark and James F. Byrnes, 20th Century-Fox attorney, was not held when the former Secretary of State failed to keep the appointment, and Department of Justice officials said it was inconceivable that any last-minute agreement would be reached removing any more of the defendants from the Paramount case before argument opens tomorrow morning in New York District Court.

Theatre Owners of America executive Gael Sullivan was a visitor here at the weekend but it could not be learned whether the former executive director of the Democratic National Committee conferred with Clark.

Reviews

"The Plot to Kill Roosevelt"

(*Selected Films-United Artists*)

OFFERED as a spy thriller of international intrigue, the title of this production is more sensational than the production itself. It is obvious that the title has strong pulling power for box-office consumption.

The setting is Teheran, in 1943, where Derek Farr, playing an English war correspondent, has stumbled on "the plot to kill Roosevelt." The atmosphere, crowd scenes, costumes and character types generally associated with the mysterious East appear a-plenty. William Freshman directed, with Marta Labarr adding extra glamour as a Russian ballerina involved in the proceedings.

The film has movement without action and builds up little suspense before the denouement. The scale of production is elaborate. Manning Whiley gives a good account of himself as the suave ringleader of the plotters; the cast as a whole is generally adequate.

Running time, 83 minutes. General audience classification. Release date, not set.

"The Plunderers"

(*Republic*)

ASSOCIATE producer-director Joe Kane fabricated a lively little Western in "The Plunderers," accentuating Trucolor in the chase through many holdups, double-crosses, Indian attacks and an assortment of situations usually found in a pretty good Western. Much conversation and romance detract not a bit.

Plainclothes Army officer Rod Cameron is supposed to work up a friendship with Forrest Tucker, a bandit whom Rod must bring to justice. Rod grows to really like Forrest. Meanwhile, he falls in love with Ilona Massey, a friend of Tucker's sweetheart, Adrian Booth. Finally, in an Indian attack, the bandit and his sweetheart are both killed after he redeems his honor, and Rod's dilemma over having to hang the man he had come to like is solved.

Action and gunplay are the keynotes, with personality honors going to Miss Booth and Tucker. George Cleveland does a fine comic part as the sheriff and Paul Fix is good as the bandit's accomplice. Miss Massey and Cameron handle the principal parts with assurance. Gerald Geraghty and Gerald Adams wrote the screenplay, based on an original by James Edward Grant.

Running time, 87 minutes. General audience classification. For December release.

Eiseman Promoted

(*Continued from page* 1)

years, prior to which he served as manager for United Artists in New York, Pittsburgh and Atlanta. Abner has been with Metro for over 20 years, the last 10 as New Jersey manager.

Kalmenson will announce Lefkowitz's new executive appointment as soon as he is well enough to return to duty.

All changes will take effect on Nov. 15.

Wanger Warns

(*Continued from page* 1)

Motion Picture Advertisers in the Hotel Piccadilly here. "The public is waiting to be sold and can't understand why it isn't being sold," he declared. The industry must take a lesson from Gov. Dewey's recent experience, Wanger said, and penetrate the great masses of "the people."

Citing the verve of Samuel Goldwyn, Walt Disney and David O. Selznick, Wanger called for the type of "showmanship" demonstrated by those producers and less reliance on "popcorn and boards of directors." He said there is "no reason why we shouldn't be the most respected rather than the most maligned industry."

Wanger congratulated RKO Radio president Ned E. Depinet, a fellow occupant of the luncheon dais, on his prospects for successful leadership of his company now that it no longer has what Wanger termed "high class directors."

Dr. George Gallup's poll of public opinion and Audience Research Institure came in for criticism by Wanger. He said it was unfortunate for the industry that it has lawyers, pollsters, and absentee businessmen influencing policy and methods when their job is one for showmen alone.

Wanger was introduced to the gathering by AMPA president Max E. Youngstein. Others on the dais were David Blum, Joan Bennett (Mrs. Wanger), William Heineman, Evelyn Koleman and Harry McWilliams.

'U' Exchange Merges

ALBANY, Nov. 7.—Universal's "Big U" film exchange here has been merged into Universal Film Exchanges.

New Para. Pact Splits Brackett-Wilder Duo

HOLLYWOOD, Nov. 7.—Under new contracts signed by Henry Ginsberg, Paramount studio vice-president, with Charles Brackett and Billy Wilder the former is bound to the studio for five and a half years starting next March as a producer-writer-production executive and the latter for two pictures in "the next few years." Although Brackett's contract is exclusive, Wilder's is not.

Included in the stipulations is a clause which provides that they may not be assigned to work on the same picture at any time but that each may be assigned to any other picture.

Lachman to Coast On Carbon Outlets

Edward Lachman, president of Carbons, Inc., is en route to the Coast from New York to establish distribution outlets for his arc carbons in California, Alaska and U. S. Pacific possessions. Prior to his departure at the weekend Lachman, who is also president of Allied Theatre Owners of New Jersey, announced the appointment of carbon distributors in Cleveland, Cincinnati, Charlotte, Memphis and Philadelphia to bring to 11 the number of cities wherein the company is represented.

UA-SRO Deal

(*Continued from page* 1)

senting the deal to United Artists' board of directors for ratification here today or tomorrow.

While executives of both companies were not available for comment, it is understood that among those attending a day-long meeting on Friday were David O. Selznick, Daniel T. O'Shea, president of Selznick's Vanguard Films, Inc.; Ernest L. Scanlon, SRO vice-president and Vanguard's executive vice-president and treasurer; Paul MacNamara, vice-president in charge of public relations for both SRO and Vanguard; Milton A. Kramer, SRO executive vice-president; Gradwell Sears, president of United Artists; Paul Lazarus, Jr., executive assistant to Sears; representatives of the law firm of O'Brien, Raftery, Driscoll and Lawlor, and other executives of both companies.

Altec Re-shuffling

(*Continued from page* 1)

banks, R. E. Pierce, L. J. Patton and F. J. Pfeiff are named field managers, and L. J. Hacking, D. A. Peterson, B. Sanford, and M. N. Wolf have been appointed sales representatives.

Jacobs Buys Price's Favorite Films of Cal.

SEATTLE, Nov. 7.—N. P. Jacobs of San Francisco has purchased the interest of Harry Price in Favorite Films of California, Inc. Price has retired from the company, according to an announcement by Jack Kloepper, Northwest district manager here.

Transfilm Names Doner

W. B. Doner and Co. of New York has been appointed by Transfilm, Inc., also of New York, to handle promotion and public relations activities in connection with its television, educational and commercial film productions.

Kreisler Finds

(Continued from page 1)

the professed conviction of the British industryites that American theatre owners, particularly circuit operators, decline to book British product regularly solely because it is British and not, as American theatre operators contend, because the public will not patronize it, Kreisler said.

He reported strong interest in virtually all European countries in developing native motion picture industries, both for nationalistic propaganda purposes and as a means of earning export revenue. Kreisler suggested that in view of this the American industry merits and should insist upon increased aid from its Government in all foreign markets in which it is confronted with problems which are better handled on the Government than the industry level.

Scores Film Group For Not Seeing Films

LONDON, Nov. 7.—Oliver Bell, director of the British Film Institute, scheduled to speak recently to Nottingham's Film Consultative Committee, surprised its members by lecturing them instead when he discovered, by questioning, that few of them had seen any of the films currently playing in Nottingham.

"You people," he said, "ask me to come and talk about the appreciation of films, but you don't see the films yourselves. The only solution is for you to go to films, learn to discern, teach people the difference between the good and the false."

Nottingham exhibitors regard the incident as just about the most useful job Britain's Film Institute has done to date for the benefit of the industry.

TWENTY-FIRST ANNIVERSARY

TENT NO. 1

VARIETY CLUBS INTERNATIONAL

PITTSBURGH, PA.

Presents

GREATEST BANQUET ON EARTH

Honoring

INTERNATIONAL BIG BOSS

JOHN H. HARRIS

And

TENT NO. 1 RETIRING CREW FOR 1948

★★ ★★

SUNDAY NOVEMBER 14

6:30 P. M.

WM. PENN HOTEL, PITTSBURGH

★★ ★★

For Reservations Wire or Write

JOHN T. McGREEVEY, Gen. Chairman

Wm. Penn Hotel, Pittsburgh, Pa.

U. K. Theatres' Lower Quota

(Continued from page 1)

fall into each relief category. However, the relief formula itself, as it n stands approved, is as follows:

FIRST FEATURE QUOTAS

1. Independent Exhibitors in opposition to Circuits

(a) Theatres changing programs once a week:	Quot
1 independent against 2 circuits	40%
2 independents against 1 circuit	40%
2 independents against 2 circuits	22½
3 independents against 1 circuit	30%
3 independents against 2 circuits	17½
4 independents against 1 circuit	25%
4 independents against 2 circuits	15%
5 independents against 1 circuit	20%
5 independents against 2 circuits	10%
1 independent against 3 circuits	10%
2 independents against 3 circuits	10%
(b) Theatres changing programs twice a week:	
1 independent against 2 circuits	15%
2 independents against 1 circuit	20%
2 independents against 2 circuits	10%
3 independents against 1 circuit	15%

2. Independent Exhibitors in opposition with one another

(a) Theatres changing programs once a week:	
1 independent against 2 independents	45%
1 independent against 3 independents	35%
1 independent against 4 independents	30%
(b) Theatres changing programs twice a week:	
1 independent against 2 independents	30%
1 independent against 3 independents	20%
1 independent against 4 independents	15%
(c) Theatres changing programs three times a week:	
1 independent against 2 independents	20%

Berger Upheld in Minn. Ascap Action

MINNEAPOLIS, Nov. 7.—Federal Court Judge Gunnar Nordbye has rejected Ascap's move for an injunction which would have restrained Benjamin Berger and other defendants in an Ascap action from continuing the showing of films containing Ascap music without obtaining public performance licenses from the society.

Judge Nordbye accepted all findings proposed by Berger, including the contention that Ascap had the "combined and potential power to deny any theatre owner the right to carry on his business because, without the right to exhibit films containing Ascap music, no theatre owner could stay in business."

New F. of N. Member

With the admission of the Danish Information Office to membership, Films of the Nations, Inc., non-profit organization which distributes films released by a large number of foreign nations and by the United Nations, now has 120 films available on 25 different countries. Two new directors, G. H. W. Hasselriis of the Danish Information Office, and Norbert Fryd, cultural attache to the Czech Consulate General, have been elected to the organization's board.

Toronto Power Cuts

(Continued from page 1)

from Monday through Friday and possibly for the entire winter, will kill business. Unable to stand the expense of installing private generators such as the major houses have done in order to forestall interruptions, the smaller houses say they will be unable to give two performances nightly with power available only after 7:45 P.M.

Czechs and French To Exchange Product

PRAGUE, Nov. 3 (By Airmail).—The Czechoslovak State Film has closed a deal with French distributors calling for delivery of 30 French features by the end of June, 1949. Czechoslovakia in the same period will export 10 features to France.

Lux Films Head Here

Dr. Renato Gualino, head of Italy's Lux Films, said to be the largest film producing studios in Continental Europe, will arrive here today from Rome on a two months' business trip. He will divide his time between New York and Hollywood. Lux produces and distributes throughout the world approximately 20 features a year.

Old Lincoln To Reopen

YOUNGSTOWN, O., Nov. 7.—Lincoln Theatre, closed since silent days, is scheduled for Nov. 15 opening under a new owner, Gene Gioppo who has completely remodeled the house. Ohio Theatre Service, operated by Tony Stern and Lou Ratener, will book the Lincoln.

Declare Two Dividends

OTTAWA, Nov. 7.—Dividend of 50 cents per share, plus an extra dividend of 50 cents on outstanding capital stock, payable Nov. 30, has been declared by United Amusement Corp., Ltd.

DOUGLAS 4-ENGINED

FLY OVERNITE TO CALIFORNIA

COAST TO COAST $88 PLUS TAX

DC-4 • 12 HOURS

Skycruises inc.

CALL BRYANT 9-3707

108 W. 43rd St. Hotel Diplomat

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. [illegible] NO. 90 NEW YORK, U.S.A., TUESDAY, NOVEMBER 9, 1948 TEN CENTS

FILE COPY DO NOT REMOVE

MOTION PICTURE ASSOC. OF AMERICA,
28 WEST 44TH ST., 21ST FL.
NEW YORK,
N. Y. (3 COPIES)

Total Divorcement Is Not Called for, Court Says

Senior Judge Believes Some but Not All Theatres Should Be Divested; Gov't Counsel Refuses Special Master for Case

Federal Judge Augustus N. Hand said yesterday that the three-judge statutory court, continuing hearings in the government anti-trust suit against the industry, does not believe that the total divestiture of affiliated theatres is either necessary or called for in the U. S. Supreme Court decision which remanded the case to the New York court.

Judge Hand clearly indicated, however, that some divorcement has been prescribed by the Supreme Court and will be ordered.

When counsel for Paramount, Loew's, 20th Century-Fox and Warners revealed that they believe it to be necessary to introduce substantial new testimony or evidence which might require lengthy hearings, Judge Hand raised the question of turning the case over to a special master.

Robert L. Wright, assistant to the U. S. Attorney General, objected to that procedure and his objection apparently was sufficient to keep the case before the statutory court.

Judge Hand previously had indicated that he believed the defendants were entitled to litigate certain questions pertaining to ultimate divestiture or retention of some of their theatres and, with Wright's objection barring the transfer of the new hearings

(*Continued on page 4*)

Federal Court Approves RKO Consent Action

Eliminates Company From Government Suit

The RKO consent decree, embracing divorcement of theatre operations from production and distribution was approved by the Federal statutory court here yesterday, thereby eliminating RKO as a defendant in the further phases of the government anti-trust suit against the industry.

Ralston R. Irvine, of counsel for RKO, and Robert L. Wright, assistant to the U. S. Attorney General, presented the RKO consent decree to the three-judge Federal court shortly after opening of the new hearings in the anti-trust case.

Irvine explained that RKO wanted the decree entered before further tes-

(*Continued on page 4*)

Depinet Is Pleased With RKO Decree

Ned E. Depinet, RKO president, issued the following statement yesterday after the consent decree terminating the government anti-trust suit against RKO had been approved by the New York Federal Court:

"I am very pleased that our company has taken this important step which, in my judgment, is clearly in its interest and in the interest of its stockholders. In my view, the most significant provision of the consent

(*Continued on page 4*)

Ascap Decree Memo Deadline Now Friday

Ascap, which was due to file in U. S. District Court here today a memorandum on its position regarding the forthcoming decree in the New York exhibitor plaintiffs anti-trust action, has been granted additional time to file, until Friday.

Louis Frohlich, Ascap attorney, is tied up on the industry Paramount anti-trust suit which is currently being heard in U. S. District Court here, and requires additional time to prepare the Ascap memorandum.

SPG, SOPEG Yield to T-H Requirements

CIO's Screen Publicists and Screen Office and Professional Employes guilds, which for the past several months have firmly refused to comply with the non-Communist affidavit provisions of the Taft-Hartley Law, have decided finally to comply in face of the IATSE's continuing inroads into SOPEG ranks and the film companies' unyielding determination not to "do business" with the guilds until they do comply.

Opening the way for SPG and SOPEG to file affidavits was a decision by leaders of the United Office and Professional Workers of America, the guilds' parent union, to sign the affidavits forthwith. A number of

(*Continued on page 2*)

Open U-I Office in Holland: Seidelman

Universal-International will open a distribution office in Holland around Jan. 1, Joseph H. Seidelman, foreign sales vice-president, disclosed here yesterday. Seidelman, who has just returned from a six-week trip to Europe, said that the company's membership in the Bioscoop Bond, state film trust, has been approved.

Business in France was characterized as "static." He said that our

(*Continued on page 3*)

Record $78 Million Grossed in Canada

OTTAWA, Nov. 8.—Canadian government reports that despite a decline of paid attendance from 227,538,798 in the previous year to 220,857,594 last year, or a three per cent decline, Canadians spent a record total of $78,684,681 last year on motion picture entertainment, against $74,941,966 in the previous year, showing a five per cent increase in gross receipts, with gains

(*Continued on page 3*)

Election Aftermath Hits B'way Grosses, But 'Pit' Is High

Public's preoccupation with the unexpected outcome of the national election reduced somewhat this week the grossing potency of the several new pictures which came to the Broadway area.. Hence, generally mild business is regarded in first-run exhibition circles here as hardly a normal manifestation this week. Next week, it is said, should produce a higher level of grosses in line with the public's retreat from an atmosphere of "political hysteria."

There were only two really fast starters: "The Snake Pit" at the Rivoli where the initial stanza is expected to bring a rousing $55,000, and "Sealed Verdict," plus Frankie Laine on stage, which is heading for a big $85,000 in its first week at the Paramount. At the Mayfair, meanwhile, a more or less bright start was registered by "Road House," with about $38,000 indicated for the opening week.

First week of "You Gotta Stay Happy," together with a stage presentation at Radio City Music Hall, is expected to ring up a pretty good $125,000 following a slow post-election start which brought about $80,000 Thursday through Sunday. "Unfaithfully Yours," plus Peter Lind Hayes on stage at the Roxy is due for a so-so

(*Continued on page 3*)

Tri-States May Act on Conciliation Dec. 9

MEMPHIS, Nov. 8.—Conciliation proposals may top the agenda of an open meeting called today by the executive committee of Tri-State Theatre Owners Association for Memphis on Dec. 9 to hear Arthur Lockwood, Theatre Owners of America president, and Herman Levy, general counsel.

80 from England in 1948, Says Wilcox

A record number of 80 pictures is expected to be made in England this year, Herbert Wilcox, British producer, asserted here yesterday. Wilcox arrived here at the weekend with his wife, Anna Neagle, on the *SS Queen Elizabeth*.

Wilcox declared that the two-fold purpose of his trip here is to discuss a joint production-distribution deal with American film interests, and to arrange private showings and fix distribution here of his two films, "Spring in Park Lane" and "Elizabeth of Ladymead," both of which star Miss Neagle.

Wilcox said that he did not expect his reciprocal deal to be finalized during his visit here. He said "two or three" American producers were concerned and he "wanted to explore the situation on the spot." Under the ar-

(*Continued on page 3*)

Personal Mention

BARNEY BALABAN, Paramount president; RUSSELL HOLMAN, Eastern production head, and EDWIN L. WEISL, board member, have returned to New York from the Coast.

•

JAMES R. GRAINGER, Republic distribution vice-president, left here last night for Minneapolis, while EDWARD L. WALTON, assistant general sales manager, and WALTER L. TITUS, JR., division manager, left on branch tours.

•

MARTIN STARR, Station WINS motion picture commentator, will revive his series of "Gangplank Interviews" with film and other passengers on incoming boats.

•

HOWARD DIETZ, M-G-M advertising-publicity vice-president, returned to New York yesterday from the Coast.

•

ARTHUR LOCKWOOD, Theatre Owners of America president, arrived here yesterday from Boston.

•

ARTHUR KELLY, United Artists vice-president, returned to New York yesterday from Hollywood.

•

NORMAN ELSON, Trans-Lux Theatres vice-president, will leave here today for Providence.

•

MOE KERMAN of Favorite Films has returned to New York from the Coast.

Top Court Remaining Outside Lawson Case

WASHINGTON, Nov. 8.—The U. S. Supreme Court today refused to take immediate jurisdiction in the contempt of Congress case of John Howard Lawson, one of the "10 unfriendly witnesses." Lawson, convicted for his refusal to tell the House Un-American Activities Committee whether he was a member of the Communist Party, has an appeal pending in the Court of Appeals here and has about 10 days more to get in final briefs.

However, while action was pending in the Court of Appeals, counsel for the screen writer asked the Supreme Court to take the case immediately on the ground that an important Constitutional question was involved.

All today's refusal means is that the Court of Appeals will continue to have the case. The Supreme Court could, if it desired, hear the case if the Court of Appeals should affirm the conviction.

J. Parnell Thomas, Coast Prober, Is Indicted as 'Kick-Backer'

WASHINGTON, Nov. 8.—Rep. J. Parnell Thomas, chairman of the House Un-American Activities Committee, was indicted today on charges of padding his Congressional payrolls. Thomas has been active in the committee's probes of Communism in Hollywood.

Extras Guild Rejects Producers' Proposals

HOLLYWOOD, Nov. 8.—The Screen Extras Guild board, in a report to its membership, submitted producers' contract proposals and urged its members to vote against its acceptance. The report says six months of negotiations have failed to persuade producers to eliminate the $9.45 daily rate for work in mob scenes, and declares the effect of this refusal is to deprive players of unemployment insurance rights.

Writers Would End Delays on Scripts

HOLLYWOOD, Nov. 8.—Screen Writers Guild and the Artists-Managers Guild have jointly announced the adoption of a code affording individual writers, whether SWG members or not, protection against undue delays by producers in reporting on submitted scripts, plus extended control over sales representation, and other benefits.

SPG, SOPEG

(*Continued from page* 1)

changes have taken place meanwhile in the ranks of UOPWA leadership.

SOPEG president Sidney Young conducted a membership meeting here last night as a first step toward meeting the Taft-Hartley provision, and SPG president Jeff Livingston has called a meeting of his organization for this evening. Notwithstanding the fact that the memberships of both unions voted against the signing of the affidavits in a recent referendum, the executive boards have the power to effect Taft-Hartley compliance without further action by the guilds' memberships, it was explained.

"We have decided to conform," Young said yesterday, "even though we are still firmly opposed to signing." He said SOPEG will continue to press its court case challenging the constitutionality of the Taft-Hartley Law. "We've got to get on these shop election ballots," he said, referring to National Labor Relations Board elections being readied for several film home offices where "IA's" Motion Picture Employes Local No. H-63 claims to have won shops away from SOPEG. United Artists is already in the H-63 fold, and employes at RKO, Paramount, Republic and elsewhere are seeking "IA" representation. NLRB election privileges are denied non-complying unions.

Although it issued yesterday a stinging indictment of the UOPWA unions' "desperate switch" and impugned the motives behind it, H-63 said it welcomed the opportunity to battle SOPEG for jurisdictional supremacy "on even terms."

Brown Heads Studio Publicity Group

HOLLYWOOD, Nov. 8.—Paramount's George Brown today succeeded Universal's John Joseph as chairman of the Studio Publicity Directors Committee, the latter becoming executive committee chairman, in the customary bi-annual rotation of the committee chairmanship among members.

'Mistake' to Run to Public, Says Berger

Minneapolis, Nov. 8.—Last year's action by North Central Allied president Ben Berger to take alleged grievances of independent exhibitors to the public was "a mistake," the exhibitor leader said. "We must settle these internal disputes among ourselves around the conciliation table because our trade problems are too complex for outsiders to understand," he declared. He said, however, that it is necessary to work for enactment of legislation and controls where monopoly squeezes the little fellow. Berger cited Ascap and divorcement as examples of the need for continuing to "fight monopoly on a common level."

Samuelson Head of Allied Booking Firm

PHILADELPHIA, Nov. 8.—Sidney E. Samuelson was elected president and Elmer Hollander vice-president of the Allied Motion Picture Theatre Service, Inc., by the booking and buying outfit's new board of directors. Other officers are: Cecil Felt, treasurer; Albert M. Cohen, secretary, and E. B. Gregory, financial secretary. In addition to Samuelson, Hollander, Felt and Gregory, the directors are Martin B. Ellis, Ben Fertel, Percy Friedman, Jack H. Greenberg and Larry Woodin.

Ask Myers Testimony In Business Hearing

WASHINGTON, Nov. 8.—The House Small Business Committee has abandoned its plans to conduct hearings in New Orleans on Dec. 1, in connection with the annual convention of the Allied States. Instead, the committee has decided to invite Abram F. Myers, chairman of the board of Allied to appear as a witness at the committee's final hearings on Nov. 15-16.

These sessions will cover a variety of subjects, including the problems of the small exhibitors.

Germani, Pulsipher On Mich. Allied Board

DETROIT, Nov. 8.—Series of district meetings being held by Allied of Michigan to elect directors in the field are progressing, a meeting in Monroe, Mich., resulting in the election of Rene Germani of the Monroe Theatre in that town, and the naming of A. D. Wolverton of Chelsea as alternate. Another meeting, in Marshall, resulted in the election of Wayne Pulsipher of Bellevue, and Bob Pennell of Bronson as alternate.

Keenan Buel, 75

Keenan Buel, 75, of Ladentown, N. Y., a director of motion pictures in the early days, died over the weekend in the Medical Arts Centre Hospital here.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
ROCKEFELLER CENTER
JOAN FONTAINE-JAMES STEWART
"YOU GOTTA STAY HAPPY"
EDDIE ALBERT
A WILLIAM DOZIER PRESENTATION
A UNIVERSAL-INTERNATIONAL PICTURE
SPECTACULAR STAGE PRESENTATION

"SEALED VERDICT"
starring RAY MILLAND with FLORENCE MARLY
A Paramount Picture
in Person FRANKIE LAINE also CONNIE HAINES DAVE BARRY THE CLARK BROTHERS Extra Added Attraction JERRY WALD And His Orchestra
PARAMOUNT TIMES SQUARE MIDNIGHT FEATURE NIGHTLY

SAMUEL GOLDWYN presents
DANNY KAYE
VIRGINIA MAYO
"A SONG IS BORN"
COLOR BY TECHNICOLOR
Broadway at 45th Street ASTOR Cont. from 8:45 A.M. Midnight Show

J. Arthur Rank presents
"THE RED SHOES"
Color by Technicolor
BIJOU THEATER, 45th Street West of Broadway
All Seats Reserved, Mail Orders
Twice Daily
Extra Matinees Saturday and Sunday
Late Show Saturday Evening 11:30
An EAGLE LION FILM Release

"One Touch of Venus"
starring ROBERT WALKER AVA GARDNER DICK HAYMES
IN PERSON JEAN SABLON
Extra! BETTY BRUCE Special! DICK & GENE WESSON Extra Special! TED STRAETER and Orch.
Doors Open 10 A.M. CAPITOL B'way & 51st St.

IDA LUPINO • CORNEL WILDE
CELESTE HOLM • RICHARD WIDMARK
ROAD HOUSE
20th CENTURY-FOX
DOORS OPEN 8:30 A.M.
MAYFAIR
7th Ave. & 47th St.

DARRYL F. ZANUCK presents
OLIVIA de HAVILLAND
the Snake Pit
Directed by ANATOLE LITVAK
Produced by ANATOLE LITVAK & ROBERT BASSLER
20th CENTURY-FOX
RIVOLI B'way & 49th Street

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

Grant Heads Variety Club in Baltimore

BALTIMORE, Nov. 8.—The Variety Club, Baltimore Tent No. 19, has new officers, as follows: Joseph C. Grant, chief barker; H. Ted Routson, first assistant chief barker; Fred Schmuff, second assistant chief barker; William Myers, dough guy; Chauncey Wolf, secretary.

The new board includes Myer Kendleman, Fred Sapperstein, Al Vogels, Sam Tabor, Robert C. Embrey, Harry Goldman. Delegates to the Variety convention are: O. D. Veems, Joseph Grant and William Myers.

CBS Gets 52 Films For Telecasting

American television rights to 52 British films have been acquired by Columbia Broadcasting System, it was announced by J. L. Volkenburg, vice-president and director of television operations.

Rights cover distribution as well as broadcasting, and the films will be made available to television stations on a syndicated basis. All pictures are scheduled to be ready for distribution to subscribing stations within six weeks.

Rear Projection for Video Is Announced

Development of a technique to furnish rear projection for televised shows, in much the same manner as motion pictures employ background scenic and action effects, has been announced here by J. A. Tanney, head of S.O.S. Cinema Supply Corp. Equipment needed for the television projection includes the Bodde translucent screen and wide angle lenses, both of which are available, Tanney says.

Charities Drive Launched

HOLLYWOOD, Nov. 8.—With a quota of $1,303,720, Hollywood's fourth annual united appeal was launched today by the Permanent Charities Committee with a noon rally at the Paramount studio.



FARES REDUCED

on dependable

TWA

CONSTELLATIONS

Now enjoy the finest in air travel

at no extra fare!

The only Coast-to-Coast Constellations

TWA

TRANS WORLD AIRLINE

U.S.A. • EUROPE • AFRICA • ASIA

Broadway Grosses

(*Continued from page* 1)

$90,000 in its first week on the basis of $50,000 culled Friday through Sunday.

Leading the holdovers are "The Three Musketeers" at Loew's State, and "June Bride" at the Strand where the stage is occupied by Vaughn Monroe's band. The former is on the way to a big $60,000 for a third week, and "Bride" is due for a husky $66,000 in its second round.

"One Touch of Venus" and a stage show topped by singer Jean Sablon, figure to bring in a very slow $37,000 in a second week. In its second week is "Kiss the Blood Off My Hands" at the Criterion where a fair $29,000 is indicated. Two others which are performing unimpressively in second stanzas are "Hollow Triumph" at the Globe and "The Plunderers" at the Gotham, each expected to take $11,000; "Triumph" will be succeeded on Thursday by "Blood on the Moon."

Thursday will see the opening also of "Joan of Arc" at the Victoria where refurbishing work has been going on for several weeks in preparation for that picture's world premiere. A benefit performance of "Joan" is set for tomorrow night at the Victoria.

At the Astor, "A Song Is Born" is due for a relatively mild third week, with approximately $27,500 in view. "Hamlet" at the Park Avenue and "Red Shoes" at the Bijou are continuing at capacity business, sixth week of the former bringing in $16,000-plus and the third week of "Shoes" grossing $17,500.

'Hills of Home' to Music Hall

Gus S. Eyssell, managing director of Radio City Music Hall here, has concluded negotiations with William F. Rodgers, M-G-M distribution vice-president, for the booking of "Hills of Home" at the theatre following the current "You Gotta Stay Happy." Picture is scheduled for general release in December.

Censorship Asked for Town in California

MOUNTAIN VIEW, Cal., Nov. 8.—Censorship of motion pictures was proposed here when religious and civic organizations protested programs at the Mountain View Theatre.

City attorney Herman Mager was asked to prepare an ordinance for reading at the next meeting of the City Council. The ordinance would set up a Board of Censors which would preview and pass on all pictures exhibited in the local theatre.

The proposal originated as a result of a new policy instituted of midnight shows for adults only, the civic groups complaining that young people attended the shows, which were not suited for family attendance, and that unless display ads and pictures of "Hollywood Revels" type are eliminated the theatre would be boycotted.

United International To Produce Features

HOLLYWOOD, Nov. 8.—United International will produce Edgar Allen Poe's "Goldbug" and Richard Harding Davis' "Gallagher," as first in a series of pictures to be released commencing early in 1949, according to H. W. Irwin, president of the company.

United's plans call for the production of 26 new pictures in 1949-50 season.

Visitor Jarratt Bids U.K., U.S. Cooperate

Hope that the British and American film industries "will get together and work for the mutual benefit of both" was expressed here yesterday by Sir Arthur Jarratt, managing director of British Lion Films.

Jarratt, who is here "on a routine visit," arrived at the weekend on the *SS Queen Elizabeth*.

Open U-I Office

(*Continued from page* 1)

limited number of pictures in France "would bring in just about enough to cover costs." In Italy, the situation "was quite the contrary." Seidelman said that all American companies had 725 features in Italy in the past 12 months and added that "all made money." Seidelman attributed this condition largely to the fact that both distributors and exhibitors "went out and worked and exploited the pictures."

Seidelman asserted that U-I is getting "normal playing time" in England under the present arrangement with the J. Arthur Rank organization. He said that the 45 per cent quota is still the "biggest obstacle to improvement of business."

Discussing Eric Johnston's recent trip abroad, Seidelman said that the Motion Picture Association of America president was both an ambassador of good will and a film salesman and added that "he did a marvelous job for our industry."

Seidelman will fly to Buenos Aires shortly to attend the company's Latin American sales convention which will open on Nov. 15.

80 From England

(*Continued from page* 1)

rangement he would affiliate with American interests "to make pictures in England that would be of box-office value in both countries." Distribution would be split into two zones, the Eastern and Western hemispheres, with the American interests distributing in the latter zone, naturally.

Wilcox urged that the Anglo-American interests "get closer together and not farther apart." He said that there was "so much that we can get of value from Hollywood and so much that they can get from us."

Wilcox will return to London next Tuesday to start production on a Technicolor film, "Maytime in Mayfair."

Canada Grossed

(*Continued from page* 1)

recorded in all provinces except Nova Scotia, where the decline was 10 per cent of receipts.

Some $15,819,402 went to federal and provincial governments in taxes last year, leaving receipts of $62,865,279. A net increase over the previous year of 216 theatres was recorded, bringing the number to 1,693 last year, with a seating capacity of 834,360, compared with 752,642 seats reported by 1,477 theatres in the previous year.

Hartman Aids Academy

HOLLYWOOD, Nov. 8. — Don Hartman has been named to handle arrangements for the presentation of the 1948 Academy Awards, by Jean Hersholt, president of the Academy of Motion Picture Arts and Sciences. Date and place of the annual event will be determined later.

Don't get yourself in a stew



...you'll soon be able to see

"YOU GOTTA STAY HAPPY"

Total Divorcement Out

(*Continued from page* 1)

to a master, the three-judge court began the new phase of the 10-year-old industry anti-trust suit hearings following the mid-day adjournment yesterday, with Wright introducing new exhibits pertaining to theatre ownership reports of the four companies.

Attorneys for the latter immediately questioned the accuracy of the new exhibits.

The court did not set a time limitation on the new phase of the hearings but has indicated that it will not countenance protracted testimony.

A clue to the amount of time required by defendants may have been supplied by Joseph Proskauer, counsel for Warners, when he told the court that he could put in his new testimony "in four days and, if it is not met with serious objections, perhaps in one day."

Counsel for other companies did not indicate how much time they might require but if their needs did not differ materially from those of Warners', the case might be concluded in 30 days or less.

Hit Procedure on RKO Decree

Yesterday's session began with the presentation by Wright of terms of the separate settlement with RKO. Objections to the RKO settlement were raised by United Artists counsel, Edward Raftery, and Louis D. Frohlich, attorney for Columbia, both questioning the procedure. Raftery also offered the point that the settlement might "affect others," presumably meaning it might be used in other anti-trust cases against the distributors. He added, "It may even prejudice this very trial."

A new system of voluntary arbitration for the industry was discussed briefly by defendant attorneys with the indication that the subject in all likelihood will be taken up at length at a subsequent time. That Judge Hand would be agreeable to arbitration was made apparent by his comment that "I certainly think and always thought that there ought to be such a system."

The position of the "Little Three" was voiced by Frohlich, Raftery and Cyril Landau, the latter for Universal. Frohlich branded the government's proposed trade practice injunctions an apparent attempt to "'destroy' the industry." He said that the government-recommended judgment would open the distributors to "numerous contempt proceedings." Both he and Raftery again referred to private cases against the distributors throughout the country, saying that the present status of the New York case is being used by lawyers in support of private suits. Frohlich asked the court to consider its final decree in the light of other cases now pending and potential ones in the future, and to grant defendants protection from "ruinous" damage actions.

Cites Dipson Trust Action

Raftery cited the current Dipson Theatres action in Buffalo against the distributors when he, also, called attention to other suits.

Landau made a bid for the right to ask modification of the final decree "once the effects of the conspiracy have been dissipated." Landau also hit the government's proposed provision on clearances which, he said, would mean that clearances would be justified only in instances of print shortages.

John W. Davis, for Loew's, maintained that the U. S. Supreme Court "had in mind" further testimony in the case and said he was "prepared to challenge" evidence on closed towns and joint ownerships offered by the government.

Proskauer argued that Warners development of its theatre holdings was motivated by the "need for new markets" and that monopoly was neither the intent nor the effect. He said that Warners for the most part built its circuit from 1928 to 1931 and characterized the acquisition of theatres at that time as "pioneering." He said only 14 houses were taken by Warner before 1928 and only a "small number subsequent to 1931."

"What remedy should we give?" Judge Hand asked of Proskauer. "We were told our remedy was inadequate," he added, in a reference to the Supreme Court's opinion.

"One remedy should not be divorcement," Proskauer answered.

Scores D. of J. 'Inconsistencies'

Whitney North Seymour, for Paramount, charged that the government in its proposals was offering the "same old argument." And he lashed out at what he called inconsistencies in the government's position basing this, in one instance on the government's bid for divorcement but its willingness to allow for new theatre acquisitions upon court approval.

John Caskey, for 20th Century-Fox, announced to the court that he intended to show that no monopoly exists and said that the government is bent on obtaining divorcement without the further proof which, he said, is necessary. Caskey accompanied his oral argument with a memorandum to the court which concludes that 20th-Fox's "present method of selling—affording any exhibitor the opportunity to negotiate for pictures on any run he wants—renders the relief of divorcement and divestiture unnecessary."

Caskey endorsed the objections to the government's proposals raised by the other defendants and expressed the desire of his company to "become a party to a nationwide arbitration system which will afford a speedy and inexpensive forum for the adjustments of disputes."

Judge Hand remarked that both sides were taking "extreme" positions now and warned that "You won't get far with this court."

While declaring that he did not think more testimony was needed—"What more can be added?"—he corrected Wright when the latter charged the defendants were trying to delay the new hearings as "long as possible."

"Their object is not to deter but to litigate certain questions," Judge Hand said. "I think they have a right to do that."

Twice he remarked that intent in acquiring theatres, however innocent it might have been, "does not matter. More testimony on that is not needed. It's the effect of the acquisitions that matters," he said.

Judge Hand observed that the Supreme Court decree "spells divorcement, not total divorcement but some divorcement."

"Not without an inquiry," Seymour replied.

"They wouldn't have remitted the case to you if they wanted divorcement," Proskauer remarked.

WANTED

An experienced man or organization to handle complete releasing details of a 1-reel theatrical short in color.

Exploitation already covered.
Call CI 5-8459

MITCHELL MAY, Jr.
CO., INC.
INSURANCE

•

Specializing
in requirements of the
Motion Picture Industry

75 Maiden Lane, New York
510 W. 6th St., Los Angeles

RKO Decree

(*Continued from page* 1)

timony was taken in the industry case because, under the anti-trust laws, such a decree could not be used subsequently as *prima facie* evidence in treble damage actions which may be brought against the company later. The decree could be so used if it were entered after new testimony had been taken in the case.

The court called a brief recess to consider the decree and at its end, Judge Augustus N. Hand, senior jurist, said: "Your decree has been read, and perhaps partially understood, and has been signed."

RKO Counsel Leave

Thereupon, Irvine, General William J. Donovan and Gordon Youngman, the RKO attorneys, arose and left the court room, while the seven other major defendant companies turned to the continuation of the hearings.

Thus, the RKO consent decree has been approved by the court, the Department of Justice and the company's board of directors, as of now. It remains only to be approved by RKO stockholders, to whom it will be submitted at a meeting to be held within 90 days. Approval at the meeting is regarded as highly probable in view of the fact that the theatre divestiture program on which the decree is based was conceived by Howard Hughes, who owns the controlling stock interest in RKO.

To Set Up Two Companies

The plan provides for division of RKO into two new stock companies, one for production-distribution, the other for theatre operation. The latter will have title to 80 wholly-owned RKO theatres and may acquire up to 30 other houses in which RKO now holds an interest. It must dispose of partial RKO interests in 241 other theatres within a year.

RKO stockholders will receive shares in both new companies, but Hughes must dispose of his interest in one of the two within a year. The government does not care which one Hughes retains, but he already has indicated by granting an option to Atlas Corp., headed by Floyd Odlum, to purchase his theatre company interest, which one he will dispose of.

Depinet Pleased

(*Continued from page* 1)

decree is RKO's representation to t court that, subject to stockholde approval, it proposes voluntarily divorce its exhibition business from production and distribution busine This will have far reaching and, I l lieve, very beneficial effects on o future.

Theatre Setup Indep[illegible]dent

"In a short time our tha[illegible]e co pany will commence operations as independent circuit. I believe t consent decree is the only way RK can be assured of retaining substa tially all its so-called wholly-own theatres. It also has the right und the decree to acquire without furth court approval certain additional the tres in which RKO and other e hibitors presently have an intere Our interest in the theatres which v must sell is in most cases that of minority stockholder and those the tres are operated by others. In m judgment there will be no finer grou of theatres anywhere in the Unite States than the RKO circuit. Trad tionally, our theatres have been su cessful and their individual locatio and the character of their operatic assure that they will continue to b strong competitors in every mark in which they are located.

"Our picture company has at a times successfully maintained its com petitive position throughout areas i which it has no affiliated theatre Historically, it has always held a plac of eminence in the industry and it reputation has been established by con sistent delivery of top quality pic tures. I have not the slightest doub that, operating separately, it will con tinue as one of the industry's mos reliable sources of high-grade product

'Only Way' to Retain Circuit

"Fortunately, RKO has since its or ganization operated its theatres inde pendently of its production and dis tribution business. We have had a picture company and a theatre com pany and from an administrativ standpoint each has had its own man agement and staff. For that reaso the separation to be undertaken wil for RKO be a relatively simple one With each unit specializing in its own field, I am confident that RKO Pic tures and RKO Theatres will eac be leaders in the advancement an growth of motion picture entertain ment."

Coast Production Drops Slightly

HOLLYWOOD, Nov. 8.—The production index dipped to 30 from last week's tally of 33. Six films were launched while nine were completed.

Shooting started on "Jolson Sings Again," Columbia; "Counselor at Gun-Law" (Equity), Eagle-Lion; "Tuna Clipper," Monogram; "Top o' the Morning," Paramount; "Rolling Wheels," Screen Guild; "Champion" (Screen Plays), United Artists.

Shooting was finished on "Stampede," Allied Artists; "The Mutineers" and "The Devil's Henchmen," Columbia; "The Barkleys of Broadway," Metro - Goldwyn - Mayer; "Crashing Through," Monogram; "El Paso" (Pine-Thomas), Paramount; "Stagecoach Kid," RKO Radio; "The Amboy Dukes," Universal-International; "Flamingo Road," Warner.

FILE COPY
DO NOT REMOVE

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. [illegible] NO. 91 NEW YORK, U.S.A., WEDNESDAY, NOVEMBER 10, 1948 TEN CENTS

Report Ascap To Seek Stay Of N.Y. Order

Will Appeal Decisions Of Leibell and Nordbye

American Society of Composers, Authors and Publishers reportedly is planning to apply for a stay of Federal Judge Vincent L. Leibell's judgment, pending appeal, promptly after entry of the order in the Independent Theatre Owners Association New York case.

It is also expected that Ascap will appeal from Judge Gunnar Nordbye's decision in the case of Ascap publisher members against Bennie Berger in Minneapolis Federal Court, but no stay will be sought there. Ascap has much less at stake in the Minneapolis case than it has in the ITOA case and reportedly feels that little would be accomplished by a stay, but will appeal the Minneapolis decision on principle.

If the Society succeeds in obtaining a stay of Judge Leibell's order, the form of which already is apparent, although it may not be issued for sev-

(Continued on page 7)

20th-Fox Planning Drive on Reissues

On the conclusion that only the surface has been scratched on reissues, 20th Century-Fox will distribute five "re-release packages" next year. Exhibitors will be asked to nominate their preferences from a list of available attractions submitted to them by William C. Gehring, assistant general sales manager who has been relieved of other duties for a concentrated drive on reissue sales. Each of the "packages" will get national attention

(Continued on page 7)

ABPC Plans Video For All Theatres

LONDON, Nov. 9.—Countering J. Arthur Rank's well-publicized large-screen television plans, Associated British Pictures Corp., Warner affiliate, now discloses that following two years of secret research it has ordered full-scale video operations with the ultimate goal a television program in every ABC theatre.

Currently the company's experiments are concerned with both direct

(Continued on page 6)

E-L Promotes L. J. Schlaifer

L. J. (Jack) Schlaifer yesterday was named general sales manager of Eagle-Lion Films by William J. Heineman, distribution vice-president. The appointment to the newly-created position comes eight months after Schlaifer joined E-L as assistant to Heineman.



L. J. Schlaifer

Heineman stated that "the large amount of product being handled by Eagle-Lion, in addition to the increased volume of sales necessitated the creation of a general sales manager position."

Schlaifer joined Eagle-Lion last February, after serving as Allied

(Continued on page 6)

E-L Backlog Shuts Studio Until Jan. 1

Bolstered by what is claimed to be its biggest product backlog, Eagle-Lion has shut down its Coast studios temporarily until Jan. 1 and will resume production with an active schedule of seven pictures between Jan. 1 and Feb. 15.

The company now has 12 top-budget pictures, including five in Technicolor, 15 low-budget films and six Westerns completed, he said, adding that scripts

(Continued on page 6)

U.S. TRUST CASE OFF TO NOV. 29

Deneau Heads SRO Sales

Sidney G. Deneau, assistant general sales manager of Selznick Releasing Organization, has been named general manager of all distribution in the U. S. and Canada, effective today. Milton Kusell has resigned as sales vice-president.



Sidney Deneau

A statement from SRO yesterday, following a special meeting of the company's board of directors, attended by David O. Selznick and Daniel T. O'Shea, here from California for the purpose, further disclosed that the top management of the domestic affairs of SRO will be in the hands of a committee of three, consisting of Paul MacNamara, vice-president in charge of public relations of all Selznick companies; Deneau, and Leonard Case, treasurer.

Kusell will not leave the company for some weeks, during which he will work with Deneau on pending sales negotiations.

Although, at 37, Deneau is one of

(Continued on page 6)

Court Urges Both Sides To Agree on Issues In the Interim Period

Federal Judge Augustus N. Hand yesterday granted an adjournment of the new statutory court hearing on the industry anti-trust suit until Nov. 29, following completion today of Warner Brothers' testimony on the nature of its theatres' competition in various parts of the country.

Suggestion to the court that a three-week adjournment would serve to hasten the hearing in the long run came from Paramount trial attorney Whitney North Seymour following the decision of Warner attorney Joseph Proskauer to comply with Judge Hand's recommendation that Warners put in evidence simultaneously all testimony regarding its theatres' competition. Up to that point, Proskauer had been submitting city-by-city evidence marked by questioning of W. Stewart McDonald, Warner Theatres vice-president. Judge Hand interrupted the testimony to express his con-

(Continued on page 7)

Talks Continue on Selznick-U.A. Deal

With negotiations still uncompleted on the deal by which United Artists would handle special distribution for the Selznick Releasing Organization, there was nothing to place before the UA board, and its regular meeting, scheduled for yesterday, was not held.

Discussions between David O. Selznick and Gradwell Sears, U. A. president, reportedly are continuing and a decision on the deal, one way or another, is expected to be reached before Selznick leaves for the Coast, probably this weekend.

Details of the deal were not re-

(Continued on page 7)

U.K. Finance Unit Makes 2 Loans; Hits U.A. Report

LONDON, Nov. 9.—J. H. Lawrie, head of Film Finance Co., which administers government loans to film producers, disclosed at an interview here today that advances have been made only to British Lion and Exclusive Films, to date.

Lawrie used the opportunity afforded by the press conference to sharply rebuke purveyors of reports that United Artists had applied for production loans from the British government agency.

He stated publicly that David Coplan, U. A. representative here, had made no official request for an ad-

(Continued on page 6)

Fred Weller Named To Dual SCITO Post

LOS ANGELES, Nov. 9.—Southern California Independent Theatre Owners has appointed its general counsel, Fred A. Weller, as executive secretary, succeeding Robert H. Poole, resigned. SCITO president Leroy A. Pauley said, "we believe that in combining the positions of general counsel and executive secretary we have added an unusual organizational service to our members."

Weller, formerly with the anti-trust division of the Department of Justice

(Continued on page 6)

Discuss Naming New SIMPP President

Selection of a new president for the Society of Independent Motion Picture Producers is under discussion here again at meetings of leading members of SIMPP or their representatives.

Series of conferences, still in progress, also has thoroughly canvassed the organization's position with

(Continued on page 2)

Personal Mention

MAX YOUNGSTEIN, Eagle-Lion advertising-publicity vice-president, will leave here on Monday for Hollywood.

•

HARRY K. MCWILLIAMS, Columbia exploitation manager, and MRS. MCWILLIAMS have become the parents of a daughter, SARAH JANE FULLER, their third child.

•

MILTON GOODMAN, assistant to Columbia's short subjects sales manager, and MRS. GOODMAN have become the parents of their first child, a son, named ROBERT.

•

WILLIAM HOWARD, assistant general manager of RKO Theatres, will leave here today on a Southern and Midwestern business trip.

•

EDWARD ARNOLD, M-G-M star, will address the AFL convention in Cincinnati on Sunday as a representative of the Screen Actors Guild.

•

ED HINCHY, head of the Warner playdate department, will be in Washington today from New York.

•

VIRGINIA MAYO, Warner star, has been selected as "March of Dimes Girl" for the 1949 campaign.

•

LAWRENCE WEINGARTEN, M-G-M studio executive, has returned to the Coast from here.

•

MILTON STERN of United Telefilm has returned to New York from Italy.

•

STEVEN PALLOS has arrived in New York from London.

Most Companies to Observe the Holiday

World War I Armistice Day, tomorrow, will be observed by a half or full-day closing of most home offices and by many other film firms in the industry here.

Closing at one o'clock will be Film Classics, Metro - Goldwyn - Mayer, Monogram, Paramount, Republic, 20th Century-Fox, Universal, Warner Brothers and the Motion Picture Association of America. Closed all day will be Eagle-Lion and RKO. Undecided late yesterday were Columbia and United Artists.

SIMPP President

(*Continued from page* 1)

respect to foreign distribution problems, particularly those involving effects of Motion Picture Association of America and Motion Picture Export Association policies in the British and other markets.

SIMPP has been without a president since the resignation last January of Donald Nelson.

Among those participating in the current conferences, latest of which was held here Monday, are David Selznick, James Mulvey, Roy Disney, Walter Wanger, Daniel O'Shea, and others.

Farmer Agnew Has 2,000 For Release

Neil Agnew, former head of Selznick Releasing Organization, is engaged in capon raising on a big scale at his Southbury, Conn., farm. His flock numbers 2,000 birds and he will handle distribution himself to the holiday markets. The 21 Club here is reported to have made a standing offer for all Agnew can deliver.

U-I Latin American Meet to Run A Week

Joseph H. Seidelman, head of foreign operations for Universal-International, has set a U-I Latin American convention for Buenos Aires, during the week commencing Nov. 15.

Al Daff, U-I vice-president will leave here today for Buenos Aires, accompanied by Robert H. Weait, Latin-American supervisor for the J. Arthur Rank Organization. Latin American supervisor Americo Aboaf and Fortunat Baronat, director of foreign publicity, are already in Buenos Aires making preparations.

Video Not a Film Threat: Mamoulian

Motion pictures will not meet sudden "death" at the hands of television as predicted by some "television experts," Rouben Mamoulian, director of stage and screen, told a luncheon-meeting of the American Television Society at the Hotel Astor here yesterday.

"My opinion," said Mamoulian, "is that television will flourish as a fascinating medium of communication; it will vitally hurt and restrict radio, but it will not affect motion pictures adversely." On the contrary, he pointed out, television will depend upon motion pictures for much of its material."

Charles J. Durban, president of the American Television Society, presided at the meeting.

House Group to Meet In Phila. on Dec. 1

PHILADELPHIA Nov. 9.—Complaints in connection with monopolistic practices in the theatre field will be heard at a Dec. 1 meeting of a sub-committee of the House Small Business Committee here, it is announced by Joseph D. Henderson, national managing director of the American Association of Small Business.

'Dinty' Moore Quits Warner Boston Post

BOSTON, Nov. 9.—Forrest (Dinty) Moore, Northeastern district sales manager of Warner Brothers, has resigned, to take effect on Friday. No successor will be named. The district will be operated out of New York.

ATOI Convention in Indianapolis Today

INDIANAPOLIS, Nov. 9.—Election of directors will highlight the opening session of the Associated Theatre Owners of Indiana's two-day convention at the Hotel Antlers here tomorrow.

Other features include a report, "Making Caravan Work," by Charles Niles, secretary of Allied States, and a film forum with a panel including William L. Ainsworth, president of national Allied, Niles, Sam Switow, Joe Cantor; Al Blocher, Earl Herndon, Herb Ochs and Joe Finneran.

An ATOI report for 1948 by Bill Carroll, secretary, and discussion of future ATOI policies by the membership also are on the first day's program. Trueman Rembusch, president of the state organization, will deliver the convention welcome. Opening of the convention was preceded by a directors meeting and dinner for directors and their wives at the Antlers tonight.

Telecasts 'Full' Story on Thomas

Television Newsreels claims to be first on the nation's television and theatre screens with the "full" film story on the J. Parnell Thomas case, following the Congressman's Federal Grand Jury indictment for allegedly accepting salary "kickbacks" from staff members.

Actual evidence was secured by Telenews before the indictment, also direct interviews with former employes involved. Columnist Drew Pearson, first to bring the case against Thomas to the government's attention, cooperated with Telenews in the case and appears in the story, Telenews reports.

Goetz Consultant At Republic and CFI

Appointment of Jack Goetz as special consultant on laboratory and studio activities was announced here yesterday by Herbert J. Yates, Republic president. Goetz will serve with both Republic and its affiliated Consolidated Film Industries.

Goetz was previously associated with Yates in Consolidated, for many years. He had been plant manager of Erbograph, which Yates amalgamated with two other laboratories to form Consolidated. Since 1930, he has had his own organization.

2 Odeon Theatres Curtail Matinees

TORONTO, Nov. 9.—Due to increased power blackouts in this district as a result of the electricity shortage, Odeon Theatres has announced cancellation of all matinee performances except on Saturday at the Fairlawn and Danforth theatres until further notice, while other neighborhood exhibitors also are rearranging their schedules to fit the latest cut-off order. The new Odeon-Toronto Theatre will continue to operate continuously since it is free of blackouts in its downtown location.

Newsreel Parade

TRUMAN'S triumphal return to Washington highlights all current newsreels. People in the news, football and human interest items round out the reels. Complete contents follow:

MOVIETONE NEWS, No. 90—Truman returns to Washington in triumph. Name in the news: DeGaulle scores in election; Athenagoras heads Greek Church; Men enter Army in nation's first [illegible] draft; Science: Arctic expedition; atomic reaction display. Pigskin parade.

NEWS OF THE DAY, No. 220—Truman hailed as conquering hero. National Horse Show. Berlin kids run Red blockade. Football.

PARAMOUNT NEWS, No. 23—Washington's greatest victory show. Foothall.

UNIVERSAL NEWSREEL, No. 194—Truman hailed in Capital; takes Florida holiday. News in brief: canyon fire; first inductees. Football.

WARNER PATHE NEWS, No. 25—Truman wins! New inductees. Berlin kids. Colorado vacation. Football. National Horse Show.

MPEA Fetes Kekich, Attache at Prague

Emil Kekich, Commercial Attache at the American Embassy in Prague was guest at a luncheon given here yesterday by the Motion Picture Export Association.

Kekich, who has served for many years in U. S. Government foreign trade activities, chiefly in Eastern European countries, stated that the vast majority of fans want American films and are displeased when they are not permitted to see them.

Irving Maas, MPEA vice-president and general manager, stated that the American industry owed Kekich a debt of gratitude for his effective cooperation in helping MPEA meet the special problems of American film distribution in Eastern Europe.

Premiere of Wanger's 'Joan' Here Tonight

Screen, stage and other personalities will attend the benefit world premiere of Sierra Pictures' "Joan of Arc" at the Victoria Theatre tonight.

Screen, stage and opera will be represented by Ingrid Bergman, Walter Wanger, Joan Bennett, Victor Fleming, Eric Johnston, Ned E. Depinet, Anna Neagle, Herbert Wilcox, Guy Kibbee, George Coulouris, Barbara Bel Geddes, Madame Lucretia Bori, Fletcher Markel, and others.

FWC Signs Up for Commercial Film

Los Angeles, Nov. 9.—With showings set to start on Thursday in outlying districts, a hundred Fox West Coast houses in this area will exhibit the 10-minute subject, "Biggest Inch," under commercial sponsorship of the Southern California Gas Co. at the rate of $10 per thousand admissions, a circuit spokesman disclosed today. The film was produced in 16mm. by Polaris Pictures and enlarged for theatre use.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpuhco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urhen Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

FILL 'EM UP!"



M-G-M's "THREE MUSKETEERS" Technicolor

M-G-M presents Alexandre Dumas' "THE THREE MUSKETEERS" Starring LANA TURNER, GENE KELLY, JUNE ALLYSON, VAN HEFLIN, ANGELA LANSBURY, FRANK MORGAN, VINCENT PRICE KEENAN WYNN, JOHN SUTTON, GIG YOUNG • Color by TECHNICOLOR • Screen Play by Robert Ardrey • Directed by GEORGE SIDNEY • Produced by PANDRO S. BERMAN • An M-G-M Picture

"Fill 'em up at THANKSGIVING!"

(The State, N. Y. record-breaker, a simultaneous Thanksgiving sensation!)

M-G-M's "HILLS OF HOME" Technicolor

M-G-M presents "HILLS OF HOME" • Starring EDMUND GWENN DONALD CRISP, TOM DRAKE, JANET LEIGH, and LASSIE • Color by TECHNICOLOR • Original Screen Play by William Ludwig • Suggested by The Ian Maclaren Sketches "Doctor of the Old School" • Directed by FRED M. WILCOX • Produced by ROBERT SISK • An M-G-M Picture

"Fill 'em up at CHRISTMAS!"

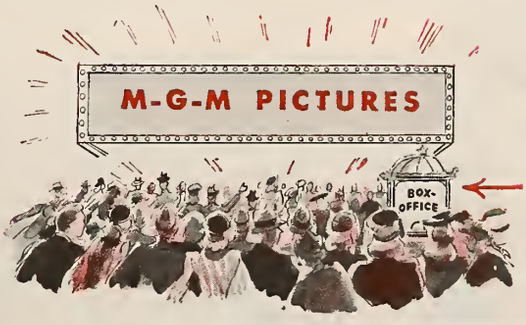
(Next at Radio City Music Hall and America's perfect Xmas show!)

M-G-M's "WORDS AND MUSIC" Technicolor

M-G-M presents "WORDS AND MUSIC" • Starring JUNE ALLYSON PERRY COMO, JUDY GARLAND, LENA HORNE, GENE KELLY MICKEY ROONEY, ANN SOTHERN with Tom Drake, Cyd Charisse Betty Garrett, Janet Leigh, Marshall Thompson, Mel Torme, Vera-Ellen Color by TECHNICOLOR • Based on the Lives and Music of Richard Rodgers and Lorenz Hart • Screen Play by Fred Finklehoffe • Story by Guy Bolton and Jean Holloway • Adaptation by Ben Feiner, Jr. • Musical Numbers Directed by Robert Alton • Directed by NORMAN TAUROG Produced by ARTHUR FREED • A Metro-Goldwyn-Mayer Picture

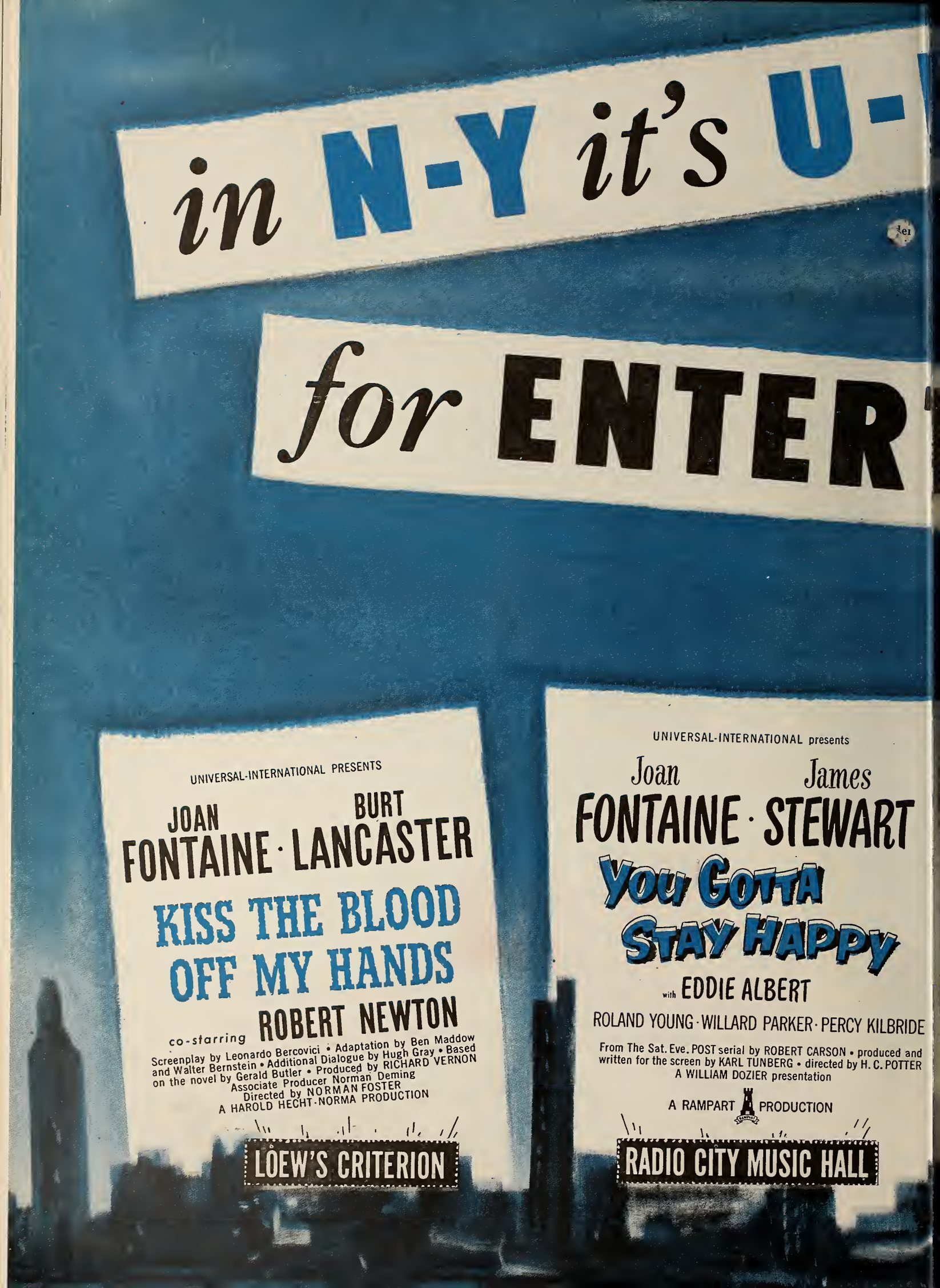
"Fill 'em up at NEW YEARS!"

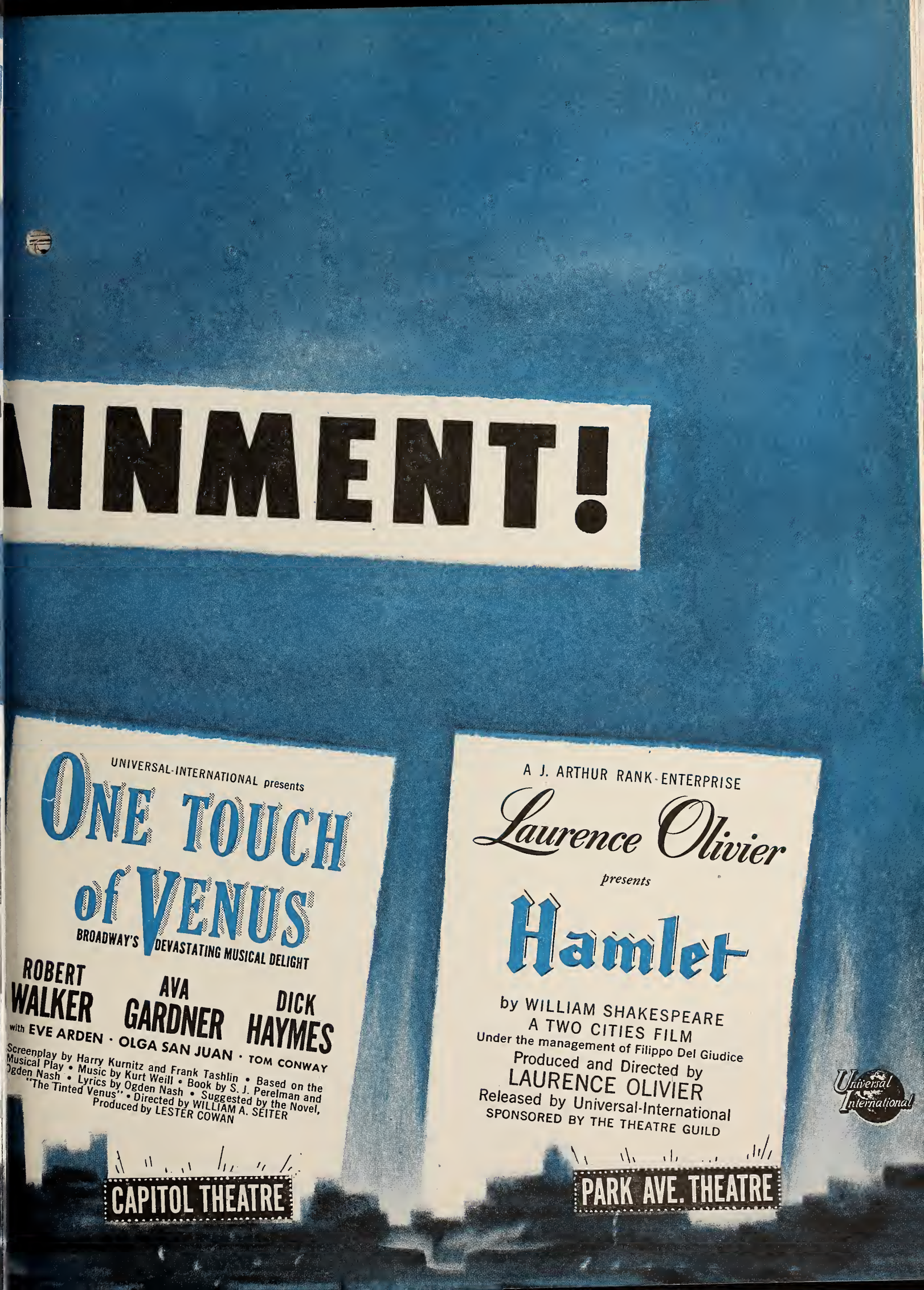
(Happy New Year at Radio City Music Hall and across the nation!)



Metro-Cola hits the spot!

"Fill 'em up all year 'round"


in N-Y it's U-
for ENTER
UNIVERSAL-INTERNATIONAL PRESENTS
JOAN FONTAINE · BURT LANCASTER
KISS THE BLOOD OFF MY HANDS
co-starring ROBERT NEWTON
Screenplay by Leonardo Bercovici • Adaptation by Ben Maddow and Walter Bernstein • Additional Dialogue by Hugh Gray • Based on the novel by Gerald Butler • Produced by RICHARD VERNON
Associate Producer Norman Deming
Directed by NORMAN FOSTER
A HAROLD HECHT-NORMA PRODUCTION
LOEW'S CRITERION
UNIVERSAL-INTERNATIONAL presents
Joan FONTAINE · James STEWART
YOU GOTTA STAY HAPPY
with EDDIE ALBERT
ROLAND YOUNG · WILLARD PARKER · PERCY KILBRIDE
From The Sat. Eve. POST serial by ROBERT CARSON • produced and written for the screen by KARL TUNBERG • directed by H. C. POTTER
A WILLIAM DOZIER presentation
A RAMPART PRODUCTION
RADIO CITY MUSIC HALL


AINMENT!
UNIVERSAL-INTERNATIONAL presents
ONE TOUCH of VENUS
BROADWAY'S DEVASTATING MUSICAL DELIGHT
ROBERT WALKER
AVA GARDNER
DICK HAYMES
with EVE ARDEN · OLGA SAN JUAN · TOM CONWAY
Screenplay by Harry Kurnitz and Frank Tashlin • Based on the Musical Play • Music by Kurt Weill • Book by S. J. Perelman and Ogden Nash • Lyrics by Ogden Nash • Suggested by the Novel, "The Tinted Venus" • Directed by WILLIAM A. SEITER
Produced by LESTER COWAN
CAPITOL THEATRE
A J. ARTHUR RANK-ENTERPRISE
Laurence Olivier
presents
Hamlet
by WILLIAM SHAKESPEARE
A TWO CITIES FILM
Under the management of Filippo Del Giudice
Produced and Directed by
LAURENCE OLIVIER
Released by Universal-International
SPONSORED BY THE THEATRE GUILD
PARK AVE. THEATRE
Universal International

Screen Unions Set Film Boycott Day

Screen Office and Professional Employes Guild and the Screen Publicists Guild announced here yesterday that Nov. 18 has been designated as "Stay Away from the Movies Day," described as the first of a series of such "days" in an "all-out effort on the part of both locals to persuade moviegoers to stay away from all motion picture theatres throughout the Metropolitan area to force film producers to negotiate new contracts."

E-L Promotes

(*Continued from page* 1)

Artists-Monogram director of sales for two years. He had previously been 20th Century-Fox's Central sales manager from 1943 to 1945, prior to which he had served as vice-president of Edward Small productions for three years. He entered the industry in 1912 as a salesman in the Warner Features Minneapolis exchange. In 1915 he became Seattle exchange manager for Universal, later resigning to manage the Unicorn Exchange in Chicago and then to open his own state's rights exchange in that city, and subsequently to serve in other sales executive posts elsewhere.

ABPC Video Plans

(*Continued from page* 1)

projection and the intermediate film process used successfully by Paramount in New York.

Plans have been developed for the establishment of ABC television studios and application has been made for permission to conduct experimental transmissions to three ABC London theatres.

Under the direction of C. J. Latta, Warner representative here, all ABPC resources will be enlisted in the program under the over-all supervision of Sir Philip Warter, chairman of ABPC. Among the company's resources are its theatres, Pathe Newsreel, ABC Elstree and Welwyn studios and Pathe Distributors.

Fred Weller Named

(*Continued from page* 1)

and engaged in private law practice, said, that "due to recent judicial opinions outlawing restraints of trade and monopolistic practices, many new approaches and solutions are in prospect for independent exhibitors. I shall always proceed on the premise that a square deal between theatre owners and distributors should be obtainable by a full presentation of the facts in the course of negotiations."



Reviews

"Every Girl Should Be Married"

(RKO Radio)

A PRETTY shopgirl's notion that a girl should be able to steer the man to the altar, instead of the other way around, becomes the basis of a fairly reliable comedy in Dore Schary's presentation of "Every Girl Should Be Married." The film is designed more for laughter than logic, and along its course it turns up many farcical situations, some of striking vitality and others of thin and obvious outline. Bolstering the picture's exploitable title is an attractive cast. Betsy Drake, making her screen debut, plays the bemused shopgirl, with Cary Grant and Franchot Tone the men in her complicated life, with Diana Lynn as her roommate and companion.

When Miss Drake meets Grant, a baby doctor, she decides that he is the man she wants to marry. Thereupon Miss Drake launches a campaign for him that has all the elaborateness of preparations of an admiral mapping out an intricate naval maneuver. When Grant, however, seems immune to matrimonial entrapment, Miss Drake decides upon the further strategy of making him jealous. And to this end she finds some fine uses for Tone, her wolfish employer. When it all winds up, Tone, despite his vaunted experience with the opposite sex, seems much the worse for the adventure. It is a foregone conclusion that Miss Drake would win Grant, and by the time she does, some fanciful bits of comedy have come to pass.

Miss Drake performs with a wistful air and deports herself as an actress of considerable screen promise. Contributions of Grant and Tone are highly satisfactory. Production and direction is by Don Hartman. He also collaborated on the screenplay with Stephen Morehouse Avery; it was based on an Eleanor Harris novel.

Running time, 85 minutes. General audience classification. Release date, Dec. 25.

MANDEL HERBSTMAN

"High Fury"

(Peak Film-United Artists)

"MADELEINE CARROLL in "High Fury" can be an arresting marquee embellishment. Indeed, experience will prove that a top star name and a concise title implying conflict and excitement are a shot-in-the-arm combination for almost any theatre front. But that is not the only asset possessed by this Charles (Buddy) Rogers-Ralph Cohn presentation. It carries a strong flavor of sincerity and is a near-masterpiece of straightforward story-telling in the European tradition.

"High Fury" was filmed wholly in Swiss Alpine areas, and, of course, is richly scenic. Its conflict and excitement reside principally in the emotions, reaching out to physical drama only at the climax in the form of tragedy during a mountain-climbing holiday.

The screenplay, by Harold French and Lesley Storm, from their original story, examines the cross-currents of love and hate and jealousy that assault the home of Miss Carroll, a Swiss inn-owner. Her husband, a handsome but impecunious and emotionally immature peasant (Michael Rennie), nurses an unyielding hatred for her young ward (Michael McKeag), a war orphan from France who fills a gap in Miss Carroll's loveless life. The village physician, played by Ian Hunter, is attracted to Miss Carroll and the lad. The trio, in a bond of friendship and devotion, are the targets of Rennie's malice and childish revenge. Rennie invites the war-shocked boy on a mountain-climbing expedition, but the former's character does an about-face when an accident puts both their lives in jeopardy—he sacrifices his own life to save the boy's. A happy reunion ensues for Michael, the doctor and Miss Carroll.

French directed this Peak Film Production with a sure hand and heart. The picture's photography, it must be pointed out, suffers somewhat from technical deficiencies and lacks the polish which characterizes Hollywood-made pictures. Others in the cast are Anne Marie Blanc, Arnold Marle, Willi Fueter and Max Haufler. Ivor McLaren produced.

Running time, 71 minutes. General audience classification. Release date, not set.

CHARLES L. FRANKE

Deneau Heads

(*Continued from page* 1)

the youngest sales executives in the business, he has been in motion pictures for 20 years as exhibitor, film buyer and salesman. In 1926, Deneau joined Fox Film in New York City. In 1934, he moved into exhibition, joining Fabian as manager and treasurer of the Brooklyn Paramount and Brooklyn Fox theatres. In 1936 he was transferred by Fabian to Albany, where he became film buyer and assistant zone manager. In 1939 he returned to New York to the Fabian home office as chief film buyer. In 1942 he enlisted in the Army, and in 1946 Deneau joined Schine Circuit in Gloversville as general manager. In 1947, because of Mrs. Deneau's health, he left Gloversville and at that time joined SRO as assistant general sales manager.

Edgar Kennedy, 58; In 106 RKO Comedies

HOLLYWOOD, Nov. 9.—Edgar Kennedy, 58, died today at the Motion Picture Country Home following hospitalization of eight weeks for a throat ailment. Under contract to RKO Radio for the past 18 years, the comedian appeared in 106 two-reel comedies for that studio and in scores of feature pictures for others. He entered the industry in 1911 as a Mack Sennett "Keystone Kop." The widow, a son and a daughter survive.

Jerome Cady, 48

HOLLYWOOD, Nov. 9.—Funeral arrangements are pending for Jerome Cady, 48, screen writer, who died aboard his yacht on Sunday. He was with 20th Century-Fox for the past eight years. The widow, a son and a daughter survive.

U.K. Finance

(*Continued from page* 1)

vance from Film Finance Co., b had made exploratory approaches, which Lawrie reported that it w unlikely that money would be ava able to American companies in vie of the urgent necessity of British pr ducers and that the matter would b in any event, for the Treasury.

While refusing to disclo[illegible]e pr cise amounts advanced [illegible] Briti Lion and Exclusive, Lawrie admitt the former receives "in excess of $4 000,000 at four per cent," and the la ter "around $104,000 at 4½ per cent

Weighing 'Other Advances'

Approaches to him for advanc have been made by others, some con mendable and still under consider tion, he said.

The advance to Exclusive occ sioned considerable criticism her which Lawrie readily disposed o pointing out that the company ha presented its production program t him, that it has a record of previou box-office successes to support it an that it has been assured of support b commercial banks also.

Exclusive enjoys considerable re pute among exhibitors as a distribu tor of reliable second features or pr gram fare for neighborhood theatre

It appeared that Lawrie, a shrew and experienced banker, is not bein deluded by fly-by-night producers o champions of promotional schemes de signed to utilize government mone but, rather, is opening up only to dis tributors able to satisfy him that thei production programs constitute reas onably safe deals.

Reiterates FFC Function

Lawrie also took occasion to den a press report that Nicholas Daven port contemplated resigning fron Film Finance because the latter wa adhering more to the financial marke trend than to government policy. H explained again that the corporation' function is not to supplant orthodo bank loans but rather to sustain them

Lawrie said that British Lion ha produced proof that it would distrib ute 18 top-grade pictures next year It handles both Sir Alexander Korda' and Herbert Wilcox's pictures. H said FFC wants to discourage inde pendent producers from forming dis tribution companies in order to qualify for loans, and said, "We don't plan to advance money to occupy Tedding ton studios just to get the stages filled."

E-L Backlog

(*Continued from page* 1)

of the seven to go into production when the studios resume operation will be whipped into final shape by Jan. 1. The seven include Walter Wanger's "Blank Wall," "World and Little Willie," "Border Incident," and "Twelve Against the Underworld," and three to be produced by Bryan Foy: "These Are My Orders," "Port of New York" and "Trapped."

From Newark—MIAMI $50

FLY OVERNITE TO CALIFORNIA

COAST TO COAST $88 PLUS TAX

DC-4 • 12 HOURS

SKYCRUISES, INC.

Air Travel Agency

HOTEL DIPLOMAT
108 W. 43rd St.
New York City
BRyant 9-3707

HOTEL BRISTOL
423 W. 8th St.
Los Angeles
Trinity 8662

U.S. Trust Case

(*Continued from page* 1)

n that such procedure would serve unduly lengthen the hearing.

Seymour suggested that if the *in* submission of stipulation evidence e to be followed by the other de- dants the case could be consum- ted in about a day-and-a-half fol- ing a three-week period devoted gath g the evidence.

t was agreed by the court, defense orneys and Robert L. Wright, as- tant to the U. S. Attorney-General, o is prosecuting the government's e, that during the three-week inter- the defendants and Wright will fer in an effort to reach a mutu- y satisfactory proposal for disposi- n of issues regarding theatre part- rships so as to avoid controversy on at score.

Judge Hand was obviously pleased er the prospects for quick disposi- n of the case, and said so. "Of urse," he remarked jocularly, "this se may still go on for years." He stened to add: "But not in this urt!"

Caskey Compliments Wright

Twentieth Century-Fox attorney ohn Caskey and United Artists attor- y Edward Raftery indorsed Sey- our's suggestion. Caskey said he en- isioned quick disposition under the tan and took the occasion to compli- ent Wright on his "courteous atti- ude" thus far in the hearing.

Raftery said that UA wants to rest n its record thus far in the suit, depending on what your hŏnors do n divorcement."

Seymour told the court that Para- ount had intended to introduce 20 itnesses "from all over the country," nd that a reduction of the evidence o stipulation would make that un- ecessary.

Wright then sought a guarantee in he form of a temporary court order estraining defendants from acquiring dditional theatres during the three- week adjournment period. The com- pany attorneys opposed such action nd gave verbal stipulation that their espective companies would not make uch acquisitions. Said Caskey: "It ardly seems possible anyway that uch acquisitions would be made in ight of the uncertainty which faces nvestors while the hearing is in rogress."

It became apparent early in yester- day's hearings that the theatre-owning defendants would act independently of each other in carrying the hearings into the basic questions on legality of theatre ownerships, although all have the single aim of refuting the government's proposed findings on the subject.

John W. Davis, for Loew's, opened the session with a motion to dismiss the government's amended complaint except on those portions which were affirmed by the Supreme Court. Paramount, 20th Century-Fox and Warners joined in the move, which was thereupon denied by Judge Hand.

In making the motion only in behalf of Loew's, Davis observed that the companies should be considered as individuals and not as one.

Raftery and Louis D. Frolich, Columbia counsel, expressed objections at this point to the government evidence in support of its proposed new judgment on distribution practices. Cyril Landau, for Universal, then made the objection unanimous for the Little Three.

Davis sought to justify the existence of a substantial number of partnership operations in exhibition in what he identified as efforts to "capsulate" the proof. He argued his case in the course of only two hours, although reserving the right to assert himself at a later point in the proceedings if he felt the need for new argument.

Rodgers Called to Stand

William F. Rodgers, Loew's vice-president and general sales manager, called to the stand by Davis, told in detail the various changes in distribution which he has effected in the past few years. Davis offered the testimony, he said, in support of his aim to prove that because of new methods of selling and generally dealing with exhibitors at the present time, any new relief is not necessary.

He said that government exhibits on selling practices are too out-dated to be considered in the light of the changes that have taken place, adding that Loew's has shown "good faith" with no monopolistic intent and therefore further relief is unwarranted.

On questioning by Davis, Rodgers reported the company's new policies adopted following the New York court's opinion of 1946. He related his communications to branch and district managers advising them of the acceptance of competitive bids, consideration of exhibitor demands for clearances and runs and the discontinuance of formula deals, master agreements and price fixing.

Davis thereupon offered this as showing that independent exhibitors had the opportunity to obtain and in numerous instances actually obtained M-G-M product over competitive affiliated theatres.

Run and Clearance Chart

Davis offered a chart showing run and clearance changes in Buffalo and Omaha made subsequent to the situation heretofore contained in the court record. Rodgers disclosed that a similar chart depicting activities throughout the country is now in preparation and will be presented to the court within three weeks.

Caskey joined in interrogating Rodgers with the intent of showing that 20th-Fox theatres in various cities were among those which lost M-G-M films to competing independents because of the new M-G-M selling policies.

Davis stated his case against the government's proposals on divestiture and divorcement with the presentation of statements on the history of theatre acquisitions and operations by J. Robert Rubin, Loew's vice-president and general counsel; Charles C. Moskowitz, vice-president and treasurer, and Joseph R. Vogel, vice-president in charge of theatres.

Davis acknowledged that some partnerships were questionable as to legality and reported that one operation in Buffalo involving Loew's Paramount and "an old employe" with some interest is now in process of liquidation. He said that Loew's would take "one parcel, Paramount the other," but added the process was complicated by the interest of the "old employe," otherwise unidentified. He said the dissolution will be reported to the court for its approval when the details are ironed out.

Called to the stand by Wright, Republic sales executive John Paul Curtain testified on bookings in independent and affiliated theatres during 1943-'44. Wright has maintained that the independent film companies, such as Republic, have lost out on bookings because of the majors' alleged monopoly.

'U' Dispenses with Special Trial Counsel

Remaining phases of the government's anti-trust suit have been narrowed to such a degree insofar as non-theatre owning defendants are concerned that one of them, Universal, has dispensed with its former special anti-trust counsel, Thomas Turner Cooke. Universal now is being represented in court only by Cyril Landau of the home office legal staff.

'Fighter Squadron' Premiere on Nov. 18

World premiere of "Fighter Squadron," Warner's Technicolor story of fighter plane operations in World War II, will take place on Thursday evening, Nov. 18, at the Victory Theatre in Dayton, before an audience including leading aeronautical scientists and Air Force commanders from nearby Wright Field.

Mort Blumenstock, Warner vice-president in charge of advertising-publicity, is planning a series of events in connection with the opening, with the cooperation of Bill Keyes, owner of the Victory, and Elmer Redell, its manager.

To Buy Zukor Estate

Negotiations are under way for the purchase of Adolph Zukor's 800-acre Rockland County estate at New City by a syndicate of New York business men, it was confirmed here yesterday. Members of the syndicate include Emil Friedlander, chairman of the board of Dazian's, Inc.; A. J. Balaban, Roxy Theatre executive; Bernard S. Thaw, restaurateur, Jack Abrams, president of the Mountain View Golf and Country Club, and Bernard G. Nemeroff attorney. The syndicate is represented by Nemeroff, Jelline, Danzig and Paley.

Selznick - U. A. Deal

(*Continued from page* 1)

vealed, but it was reported that it calls for U. A. to handle sales and distribution of SRO product in the numerous subsequent-run situations which are not thoroughly penetrated by the limited SRO field force. If the deal jells, it is also reported, a nucleus of the SRO force will continue as a unit specializing on first-run accounts.

20th-Fox Drive

(*Continued from page* 1)

comparable to new releases, the company has determined.

In a shift, Frank Carroll is now responsible for distribution personnel at the home office as well as all other personnel matters hitherto handled by Gehring. He is also charged with censorship problems.

Argue Corporate RKO Relationship

CHICAGO, Nov. 9.—Circuit Court of Appeals heard arguments here today involving the corporate relationship of Radio-Keith-Orpheum to determine whether attorney Miles Seeley had any basis for his motion to exempt the company from contempt charges in the Jackson Park decree. Seeley contended that the RKO Palace Theatre is not owned, leased, or operated by RKO Pictures, but is a separate subsidiary operating as the Chicago Orpheum Co. He admitted, however, that it is a "left arm" of the RKO parent corporation.

Seeley said he "didn't know why he made the statement" during the original hearings that RKO did operate the Palace and Grand theatres. Jackson Park attorney Tom McConnell produced evidence to prove that the Palace is a corporate mechanism of RKO Pictures, stating that "all the money came from the same till," and adding: "If it is true that the Palace is not owned by RKO, why didn't Seeley or the other RKO witnesses during the litigation deny it?"

Ascap Stay

(*Continued from page* 1)

eral weeks, exhibitors presumably would be taking chances if they continued to withhold payments from the Society.

A stay would render the New York court's judgment inoperative pending decisions on appeals. In the event of reversals by higher courts, non-paying exhibitors would be in a vulnerable position. If Judge Leibell were upheld by higher courts, however, exhibitors would not be liable for failure to pay during the operation of the stay.

'Father' Wins Citation

Warner's "Life with Father" was given a citation as the finest family entertainment picture of 1947-48, last night at a dinner sponsored by the New York State Federation of Women's Clubs' fine arts committee in connection with the Federation's annual convention at the Hotel New Yorker here.



Have YOU tried a SKYBERTH on American's famous DC-6 "MERCURY" flight to LOS ANGELES?

Phone HAvemeyer 6-5000 or your travel agent

Ticket Offices: Airlines Terminal
Rockefeller Center • Hotel New Yorker
120 Broadway • Hotel St. George

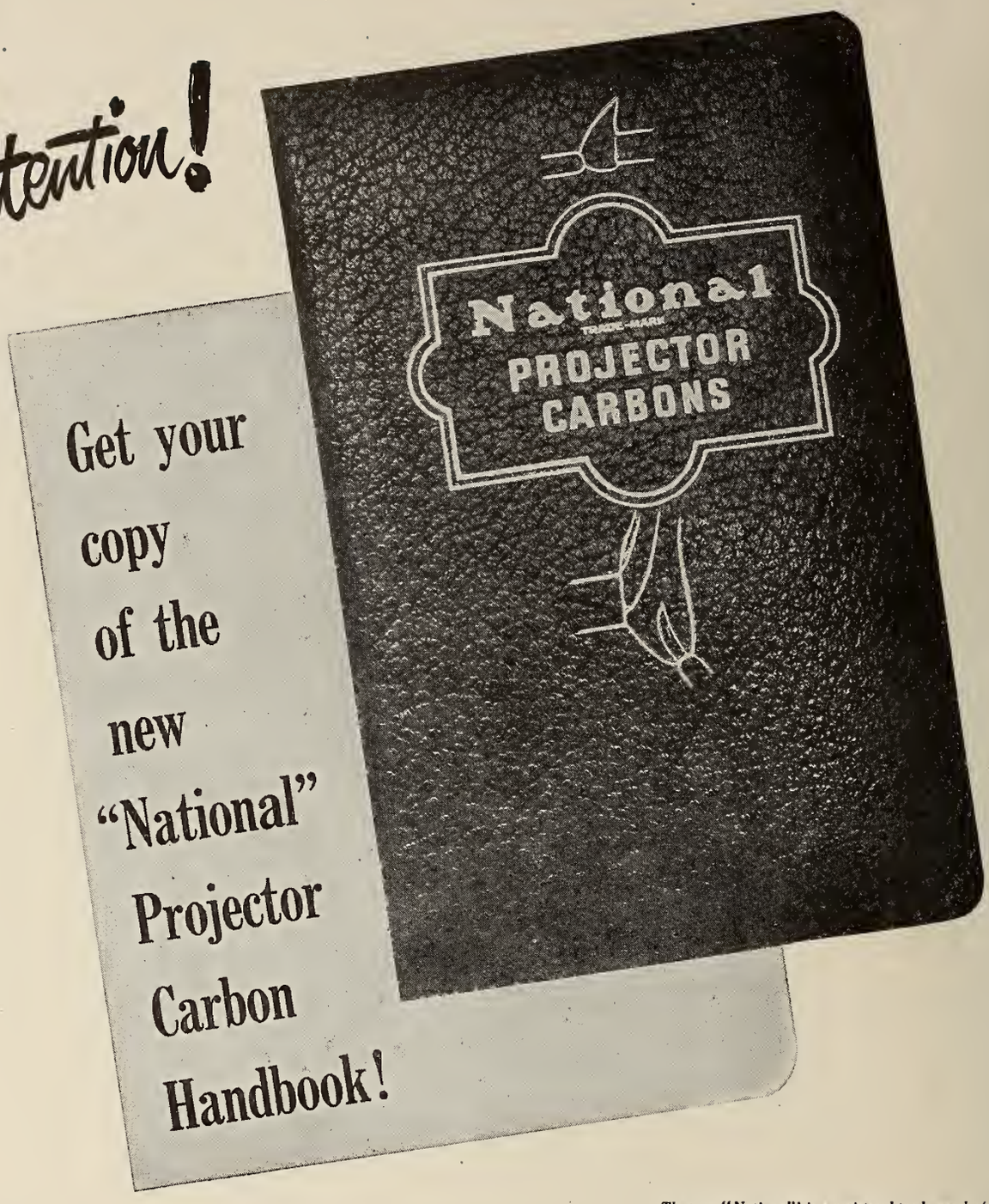
AMERICAN AIRLINES

WANTED

An experienced man or organization to handle complete releasing details of a 1-reel theatrical short in color.

Exploitation already covered.
Call CI 5-8459

Attention!



Get your copy of the new "National" Projector Carbon Handbook!

HERE, for the asking, is the latest word on projector carbons. This handbook is easy to read and packed with useful information—charts, tables, photographs and drawings—everything you need to know to get top efficiency in projector carbon operation.

The handbook contains chapters on such subjects as the physics and measurement of light...progress in projection lighting . . . the various types of High Intensity and Low Intensity Arcs . . . carbon arc projection for 16mm film...

In addition, the handbook provides tips on adjustment and alignment of projector carbons... on the amperage and voltage requirements of each type . . . on operating precautions and the proper care of electrical equipment and optical systems.

The handbook will be distributed through the Cleveland office of National Carbon Company, Inc., Post Office Box 6087, Cleveland, Ohio.

The term "National" is a registered trade-mark of
NATIONAL CARBON COMPANY, INC.
Unit of Union Carbide and Carbon Corporation
UCC
30 East 42nd Street, New York 17, N. Y.
Division Sales Offices: Atlanta, Chicago, Dallas, Kansas City, New York, Pittsburgh, San Francisco

★

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. NO. 92 NEW YORK, U.S.A., THURSDAY, NOVEMBER 11, 1948 TEN CENTS

DO NOT REMOVE

MOTION PICTURE ASSOC. OF AMERICA, INC. (CHAMBERS) 28 WEST 44TH ST., NEW YORK 18, N. Y.

Deal for U. A. Distribution For SRO Set

Goes to U. A. Board for Approval Tomorrow

Negotiation of the deal by which United Artists would handle sales and distribution for Selznick Releasing Organization have been concluded and the proposal will be placed before the U. A. board of directors for approval at a meeting here tomorrow.

Authoritative reports yesterday indicated that, if the plan is approved by the board, SRO personnel in the United States and Canada would be merged with U. A. with the possibility that they would handle special deals for Selznick product. U. A. would concentrate on broad, penetration sales which the limited SRO field force has been unable to cover thoroughly heretofore.

Appreciable economies for SRO are apparent in the arrangement and, on the U. A. side, addition of the Selz-

(*Continued on page 6*)

New ABC Video Film Process Shown Here

American Broadcasting yesterday demonstrated here its process of photographing television images direct from a receiver, recording both picture and sound simultaneously, with the aim of supplying its network affiliates with 16mm. film for re-telecasts in stations throughout the country.

Although such systems are not new to the industry, particularly to Paramount's Television Productions, which has its own method for taking film

(*Continued on page 2*)

Kingsberg Is Head Of Federation Unit

Malcolm Kingsberg, president of RKO Theatres, has been named chairman of the special gifts committee for the Federation of Jewish Philanthropies, Fred Schwartz, vice-president of Century Theatres and chairman of the FJP amusement division, announces. The quota for the division is $400,000.

Leaders in the industry here will serve on the committee with Kingsberg, among them Leonard Goldenson, Sam Rinzler, Murray Silverstone, Nate Spingold, Sol Strausberg, Joe Vogel and George Skouras.

NBC in Film Trade Via Benny's "Stiff"

NBC develops a stake in motion pictures through its purchase of Jack Benny and his company, Amusement Enterprises, which has completed its first picture, "The Lucky Stiff". The film is a Jack Benny production with Brian Donlevy and Dorothy Lamour and will be released by United Artists which holds a contract for any other films which Amusement Enterprises may make. Sam Dembow, Jr., will supervise sales.

Mono. Board Is Re-elected

HOLLYWOOD, Nov. 10.—Monogram's entire board of directors was re-elected today at the annual stockholders' meeting, and the board held its first meeting this afternoon. Election to the Monogram board carries with it the same duties as that of Allied Artists.

Members of the board are W. Ray Johnston, Steve Broidy, George D. Burrows, Edward Morey, Herman Rifkin, Howard Stubbins, Charles Trampe, William Hurlbut, Arthur C. Bromberg and Norton V. Ritchey.

Business sessions, during which the stockholders, franchise holders and board members will confer with the sales force, will continue tomorrow and Friday.

Schlaifer Leaving 20th-Fox Feb. 1; To Form Own Business

Charles Schlaifer has resigned as 20th Century-Fox director of advertising, publicity, exploitation and radio, effective Feb. 1, to enter business for himself, Spyros P. Skouras, 20th - Fox president, announced here yesterday.



Charles Schlaifer

Charles Einfeld is slated to become vice-president of 20th-Fox in charge of advertising - publicity Jan. 1 and is scheduled to arrive in New York from the Coast early next week to conclude the deal. Einfeld held a similar post with Warner Brothers prior to forming Enterprise Pictures with David Loew.

Schlaifer said yesterday the nature

(*Continued on page 2*)

TOA Leaders To Meet Jan. 28 in Capital

Next Jan. 28-29 has been set for a meeting of officers and directors of Theatre Owners of America, Arthur H. Lockwood, TOA president, disclosed here yesterday.

Lockwood said there will be about 75 officers and directors attending the meeting, which will be held at the Mayflower Hotel in Washington.

ATOI Backs Plan to Compete With Radio on 'Give-aways'

INDIANAPOLIS, Nov. 10.—Plans for a hook-up of Indiana theatres to stage their own "give-away" program in competition with radio were given tentative approval today at the opening session of the Associated Theatre Owners of Indiana convention.

The proposal, advanced by Joe Finneran, Columbus exhibitor, would depend on a minimum of 125 houses subscribing, each of which would be assessed for prizes and each to give patrons tickets from which quiz show contestants would be drawn. The contests would be held in Indianapolis and transmitted to theatres by a telephone network.

The ATOI also endorsed the Cryptix system of determining the number of patrons of a theatre and recommended that the Internal Revenue Department give the method further consideration.

Today's session also approved the policies of the board after hearing reports from Trueman Rembusch, president, and William Carroll, secretary, voted to continue to hold a summer convention and to maintain the Allied Caravan as a free service for members. Blaming film companies for clearance troubles resulting from print shortages, the meeting voiced disapproval of 50 per cent pictures.

William L. Ainsworth, president of Allied States, was principal speaker.

New directors were elected, but the votes will not be tabulated until tomorrow.

The convention committee includes Marc J. Wolf, chairman; Rembusch, Switow, S. J. Gregory and Finneran.

(*Continued on page 6*)

Defense Based On 'Reforms' In Trust Case

Majors to Set New Plan For Film Arbitration

New York Federal Court hearing on the Paramount case yesterday adjourned to Nov. 29 with increasing evidence that the major distributor defendants substantially will base their defense on the present-day state of the industry, allegedly devoid to large extent of monopoly, conspiracy and unfair trade practices.

From now to the new hearing date the companies and the Department of Justice are to endeavor to reach an accord on written testimony to be entered, thus eliminating the necessity of calling witnesses, and to try to agree on which theatre partnerships are to be dissolved and in what manner.

Those issues which remain to be resolved will be presented to the court for its consideration at the new hearing which is expected to last only one week, according to both government and film company spokesmen. The

(*Continued on page 3*)

20th-N.T. Officials Study Divestiture

Top officials of 20th Century-Fox and of National Theatres will engage in a detailed study of theatre divestiture possibilities following the arrival here from the Coast today of Charles Skouras, N. T. president.

The study will have as its aim either the prospects of an early agreement with the government on theatre divestiture or eventual compliance with the indicated New York Federal Court insistence upon some, but not complete, divorcement.

In no case, company officials said

(*Continued on page 3*)

Mich. Allied Finishes Field Directorate

DETROIT, Nov. 10.—District meetings held by Allied Theatres of Michigan to elect a board of 17 directors and 17 alternates in the field have been completed. Board members and alternates from all districts follow.

First district: Al Ackerman, Detroit, board member, Irving Katcher, Detroit, alternate; second district:

(*Continued on page 6*)

Personal Mention

DORE SCHARY, M-G-M production vice-president, who is due here Monday from the Coast, will be a guest of RADIE HARRIS on the "Broadway and Vine" aircast over CBS on Tuesday afternoon.

•

SAM SHAIN, 20th Century-Fox exhibitor relations director, left here last night for Cincinnati and Pittsburgh. SID BLUMENSTOCK, assistant exploitation manager, departed for Chicago.

•

HAROLD F. SHERWOOD of Kodak Research Laboratories, Rochester, was awarded the Rodman Medal at the 93rd Annual International Exhibition of the Royal Photographic Society, London.

•

HENRY TEELUCKSINGH, Trinidad circuit operator and franchise holder for Monogram, Film Classics and Toddy Pictures, is in New York from Port-of-Spain, Trinidad.

•

LEO YOUNG has resigned as assistant general manager of Fabian-Hellman drive-ins in upstate New York to join RKO as an exploiteer in St. Louis.

•

HELENE LAX, former film publicist in New York, has been appointed head of Filmack Trailers special copywriting department in Chicago.

•

JOAN MANSFIELD, assistant to ART MOGER in the Warner Boston office, has become engaged to WALTER BRANNIGAN of that city.

•

HARRY GOLDBERG, head of Warner Theatres' advertising-publicity department, will return to New York on Monday from Philadelphia.

•

JERRY WALD is in New York from the Coast.

British Film Union Hits Ban on Hecht

Three newly-promoted distribution managers will be honored at an industry-sponsored beefsteak dinner to be held next Thursday evening at the Ritz Restaurant in Passaic, N. J.

The three whom the industry will salute on the occasion of their promotions are: Clarence Eiseman, Warner's Metropolitan district manager; Ben Abner, Warner's New York branch manager, and Lou Allerhand, M-G-M's New Jersey branch manager.

British Film Union Hits Curb on Hecht

LONDON, Nov. 10.—The British Association of Cine Technicians has condemned the ban imposed by the Cinematograph Exhibitors Association on all films written or produced by Ben Hecht. The ACT protest was said to have been prompted not by political sympathy for the American writer but purely as a statement of principle that works of art should be freely exhibited.

Variety Club Honor For Father Flanagan

BOYS TOWN, Nebr., Nov. 10.—A memorial statue in tribute to the late Rt. Rev. Msgr. Edward Joseph Flanagan, founder of Boys Town, will be presented to Father Flanagan's Boys' Home by Variety Clubs International, Msgr. Nicholas H. Wegner, director, has been advised by R. J. O'Donnell of Dallas, Chief Barker of Variety, and John H. Harris of Pittsburgh, Variety Club founder.

Edward Shafton, Omaha attorney and member of Omaha Variety, has been named chairman of arrangements by O'Donnell, for the unveiling ceremonies which will be held on Sunday, Nov. 28 at Boys Town. The program for the ceremonies is now being developed by Shafton in conjunction with members of Omaha Variety, of which F. A. Van Husan is president. O'Donnell and Harris will head a delegation of Variety members to the unveiling ceremonies.

Father Flanagan was named recipient of the first Humanitarian Award presented by Variety, in 1938.

No Pay Hikes Under AFM Recording Pact

Former pay scales are to be maintained virtually without change under an agreement which has been reached by the record manufacturers and James C. Petrillo, president of the American Federation of Musicians. They provide for a minimum of $41.25 for a three-hour recording session, and $13.75 for each half hour overtime.

An earlier agreement for renewal of a musicians' welfare fund is to be submitted to U. S. Attorney-General Tom C. Clark in Washington. If the proposals are found legal, the agreement on working conditions makes certain that the manufacture of records will be resumed soon.

SAG in Bid for AFL Fight on 'Double Tax'

HOLLYWOOD, Nov. 10.—Screen Actors Guild executives Edward Arnold and Pat Somerset will leave here at the weekend for Cincinnati, where they will urge the American Federation of Labor convention to adopt a resolution requesting the U. S. Senate to eliminate from several pending international tax agreements all clauses depriving actors from benefits of the elimination of double taxation.

The prepared resolution calls presently-proposed agreements "unfair discrimination against professional entertainers" and points out that the clause objected to was removed from the U. S.-British tax convention.

'IA' Local 771 Elects

Jack Bush has been elected president and Marc Asch vice-president of IATSE Local No. 771, Motion Picture Film Editors, in New York. Robert Dworsky was chosen secretary, John Oxton treasurer and Leonard Hein, Fred Ahrens and Robert Klaeger, trustees. Charles Wolfe was renamed business representative.

Schlaifer

(*Continued from page* 1)

of his new business could not be disclosed at this time but he said it would be identified with the industry. In his announcement Skouras indicated that 20th-Fox would be associated with Schlaifer's new enterprise.

Skouras's statement said: "I have known for a long time about Mr. Schlaifer's personal ambitions to engage in business for himself and he has persuaded me that he is determined upon this culmination of his plan. It is a cause for real regret to me and to this company that he has made up his mind finally to take this step and all I can do is to wish him the utmost success and happiness in his endeavor.

Skouras Lauds Schlaifer

"For myself I cannot speak too highly of Mr. Schlaifer's character and accomplishments and I know that these will be felt in his new venture. This company looks forward to a business association with him in this new enterprise.

"However, it is for Mr. Schlaifer to announce the nature of his undertaking and this, I understand, he will do in the very near future. Meanwhile, at my request, he has consented to remain with the company until Feb. 1 and I am grateful that he is willing to do so."

Schlaifer expressed regret at ending his long association with the company. "However," he said, "I have been planning for some time to consummate my desire to go into business and my plans are now at the point where I must regretfully sever a long and most pleasant association with Mr. Skouras and a great film corporation. I am very happy that I shall have future associations with him and this company. My plans will be disclosed at a very early date."

Joined 20th-Fox in '42

Schlaifer joined 20th-Fox in 1942 as advertising manager and was named to his present post in 1945. He entered the industry in 1929 as assistant publicity manager of the Paramount Theatre, Omaha, later becoming managing director and advertising-publicity director of the United Artists Theatre, San Francisco.

In recent years he served as chairman of the Advertising and Publicity Directors' committee of the Motion Picture Association of America, and as chairman of the Advertising Advisory Council of the MPAA. While in the latter post the Council effected the first revision in the industry's Advertising Code in many years. He has lectured on industry subjects before varied audiences and conducted a course on motion picture public relations at the New School, New York.

WB Stars to London

Ronald Reagan and Virginia Mayo, Warner stars, are due here next Monday from the Coast en route to London to participate in the Royal Command Performance on Nov. 29. While here they will appear at the "Night of Stars" show at Madison Square Garden Monday evening.

Form Music Unit fo Video Clearances

HOLLYWOOD, Nov. 10.—Short su jects producer Jerry Fairbanks h formed Fairbanks Music Publishi Co., designed primarily to obta complete music clearance for tel vision.

The company, a subsidiary of Jer Fairbanks, Inc., will be headed b Nat Winecoff, former Paramou studio music executive. The un eventually will publish she mus and make recordings.

ABC's Video Films

(*Continued from page* 1)

direct from a receiver for large screen theatre use, Frank Marx, ABC vice-president in charge of engineering, claims advantages in quality and costs. He said that one positive print of a half-hour show will cost $60 compared to $225 for other systems where 35mm. stock is used and where the process of recording sound and picture individually is employed.

Marx yesterday showed films taken from ABC's coverage of the election last week, projected on a small screen, and the reproduction was flicker-less, had sufficient clarity and was without apparent flaws in sound. Films taken from a regular TV show and retelevised on a closed circuit showed up second best, there being some jumpiness and lighting shortcomings. These, however, might not have been due to the new process, but instead to unfavorable conditions in the immediate transmission area.

The new system will be put to a complete test when it will be applied to the network's video program on Nov. 25. Meanwhile, it is promising, and certainly a step ahead in the direction of network telecasts. G. A.

$125,000 for 'Hamlet'

BOSTON, Nov. 10.—"Hamlet," Universal-Rank production which just closed a 12-week engagement at the Astor Theatre here, grossed between $125,000 and $130,000, according to the theatre.

"Hamlet" began its seventh week at the Park Avenue Theatre here yesterday, and also opened in two additional cities, San Francisco and Long Beach, Cal.

Rites for Kennedy

HOLLYWOOD, Nov. 10.—Final rites for Edgar Kennedy, veteran actor who died here Tuesday, will be held Friday morning at St. Gregory's Catholic Church. Interment will be at Holy Cross Cemetery here.

MGM-DeRochement Talk

HOLLYWOOD, Nov. 10.—Negotiations are understood to be under way between M-G-M and Louis DeRochemont for settlement of his producing contract with the company.

'Ad' Firm Appointed

Emerson Radio and Phonograph Co. has appointed the Blaine-Thompson Co. of New York to handle its television advertising account.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1, Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

Trust Case

(*Continued from page* 1)

court's final judgment could come about the corresponding time it handed down its original 1946 decree, on New Year's Eve.

A new system of arbitration of industry disputes will be proposed but it was indicated at the near-close of yesterday's session that distributor [illegible]y definitely is unlikely. Warner counsel, Joseph Proskauer, addressing the court, announced that an outline of a plan "with teeth in it" will be submitted in behalf of the theatre-owning defendants. At that point, Louis D. Frohlich, Columbia counsel, went on record in strong opposition to arbitration for his company.

Columbia Against Arbitration

"It does us no good," he said. "The very people who go to arbitration are the people suing us" in private anti-trust suits. "This even has happened this year," he said, in an apparent reference to the Buffalo action of Dipson Theatres against the distributors. The inference was that exhibitors in court actions might point to clearance concessions made by the distributors in arbitration proceedings as admission of some guilt.

When Judge Augustus N. Hand at first had asked if non-majors would join in an arbitration program, Proskauer said that "hope is not extinguished; we have been talking to them." J. Robert Rubin, vice-president and general counsel for Loew's, volunteered the information that RKO was willing to go along, and John Caskey, attorney for 20th Century-Fox, informed the court that counsel for three other national distributors (probably meaning Allied Artists-Monogram, Republic and Eagle-Lion) have been invited to attend discussions of a system of arbitration.

George Raftery, for United Artists, and Cyril Landau, for Universal, said that they could make no commitments until the proposed plan was studied, particularly from the standpoint of the extent of costs involved.

At one point Judge Hand commented that he failed to understand why arbitration was frowned upon by some.

Proskauer remarked that it would be "a very effective instrument" even without the acquiescence of the "Little Three."

Will Cite 'New Practices'

In their new line of defense, the majors evidently intend to try to show that the new selling practices adopted during the last two years have constituted all the injunctive relief required in distribution and have resulted in a dissipation of exhibition conspiracies complained of.

In questioning William F. Rodgers, vice-president and general sales manager of Loew's, John W. Davis, counsel for that company, sought to establish that by competitive bidding, negotiation of runs, product splits, and the discontinuance of practices such as price-fixing, which have been declared illegal, the independent exhibitors have equal opportunity with affiliated theatres to license product.

This same approach was taken by Warners' Proskauer when he questioned Warner Theatres vice-president W. Stewart McDonald.

In the new statements to be prepared from now until the hearings resume (stipulations between counsel for both sides that witnesses if appearing in court would so testify), the companies also intend to disprove charges of conspiracy among the affiliated theatres and respective parent distributor corporations by way of showing no proportionate relationship between rentals paid to and collected from any two companies.

Warners and Loew's, for example, will endeavor to show that rentals paid by Warner Theatres for Loew's product will not correspond to the point of suggesting conspiracy with rentals paid by Loew's Theatres for Warner films.

The government's reply to this position is that those "reforms" already made were necessitated by previous rulings in this and other cases, including the Jackson Park decision in Chicago, but they still do not constitute adequate relief for the present or sufficient safeguards for the future.

On the question of joint ownerships, the majors intend to show where possible that partnership arrangements do not necessarily mean that the partners would have been competitors if the relationship had not existed. In a statement already presented to the court by Charles C. Moskowitz, Loew's vice-president and treasurer, it was reported that one such partner, identified as Vincent McFaul of Shea's Theatre, Buffalo, was merely interested in his investment as such and had no intention of operating theatres when Loew's and Paramount dispose of their interests in Shea's. Incidentally, government attorney Robert Wright objected to this on the grounds that Moskowitz was not qualified to speak for the partner and demanded an affidavit from McFaul himself. Loew's counsel recognized the validity of the objection and promised to get it.

3 to Offer Own Findings

Universal, United Artists and Columbia still are pursuing the same course, that is, holding as objectionable the government's proposed new findings and order on distribution practices. The three have tentative plans to reassert themselves in the form of their own set of findings when the court reconvenes.

Meanwhile, possibility of a consent decree in the case has gained strength with the court's announced attitude against total divorcement and for partial divestiture, according to observers here.

It is said that with Judge Hand's declaration to that effect, both sides have a far better understanding of what they might expect in the final order if the case is litigated to the end and that more liberal concessions by both sides would be more likely. Some say, at least, that the government must recognize that it cannot achieve the drastic complete divorcement order which it has been demanding and now might show willingness to give ground so as to effect a settlement. Also, the companies, for their part, might be willing to give more ground than they have indicated heretofore.

$450,000 Suit Against Frisina and Majors

ST. LOUIS, Nov. 10.—A $450,000 anti-trust suit has been filed in Federal Court here against Frisina Amusement Co., Springfield, Ill., and the eight major distributors by Louis Sosna of Moberly, Mo. The petition alleges violations of the Sherman and Clayton Acts during the plaintiff's operation of the Sosna Theatre in Mexico, Mo.

Reviews

"Blood on the Moon"

(RKO Radio)

LUKE SHORT'S recent novel about a bitter range feud in the old West has been fashioned into a muscular screen drama whose thematic treatment departs more or less from the well beaten path trodden by what have been characterized as "routine horse operas." Other factors are its mood of brooding suspense, its boldly realistic minor key photography, its uniformly satisfactory performances by a solid cast headed by Robert Mitchum, Barbara Bel Geddes and Robert Preston. Put "Blood on the Moon" down as ripe entertainment for the action fans, and particularly for those who demand something more than the strictly elemental.

Mitchum gives a typical Mitchum performance—quiet, icy, unruffled, seemingly lethargic—as the cowpoke who heads north after a siege of bad luck in Texas, and who finds himself a key figure in a sanguinary struggle between homesteaders and a cattle baron. Preston, his friend, had bid him come north. Preston, it develops, has been playing the homesteaders in leading them against rancher Tom Tully's men, but Mitchum does not intend to participate in the double-cross that would make Preston rich and powerful. So the cowpoke transfers his loyalty, falls in love with Miss Bel Geddes, Tully's spirited offspring, and, of course, ultimately roughhouses and shoots his way to a peaceful settlement of affairs between the cattlemen and the homesteaders. Walter Brennan, in chief support, is characteristically good as a grim settler. Phyllis Thaxter, Frank Faylen, Charles McGraw and several others fill lesser roles nicely. Adaptation of the original was by Short and Harold Shumate. Lillie Hayward wrote the screenplay. Executive producer Sid Rogell and director Robert Wise handled their departments commendably.

Running time, 88 minutes. General audience classification. For November release.

CHARLES L. FRANKE

"He Walked by Night"

(Eagle-Lion)

SMART direction of a well-knit screenplay puts Eagle-Lion's "He Walked by Night" in the ranks of superior documentary-styled melodramas. The story of the Los Angeles police department's hunt for a killer, it unfolds with a tenseness and credibility that makes it thoroughly engrossing entertainment. The cast is not one of top grade marquee value, but it performs as an adroit and coordinated team.

The story opens excitingly as a thief kills a police officer after a thwarted robbery attempt. With little to go on, except that the killer is cunning and resourceful, the police start a step-by-step accumulation of evidence. Gradually the thief, at first but an elusive shadow, takes on recognizable shape. With his identification once established, there remains only the final explosive climax in which he is trapped.

Alfred Werker has done a commendable job of direction. One result is that the audience is given a constant feeling of participation in the solution of the crime. Richard Basehart, in his characterization of the murderer, offers the proper blend of sadism and craft. Other competent performances are given by Scott Brady and Roy Roberts, as police officers. The screenplay, by John C. Higgins and Crane Wilbur, pretty much masters the formula for this type of drama. A Bryan Foy production, Robert T. Kane produced. Wilbur wrote the original.

Running time, 80 minutes. Adult audience classification. Set for November.

MANDEL HERBSTMAN

Talent Roster for 'Stars' Is Heavy

Among additional names added to the talent lineup for the "Night of Stars" United Jewish Appeal refugee relief and Palestine resettlement benefit, scheduled for Madison Square Garden here, next Monday night, are the following:

Morey Amsterdam, Milton Berle, Connie Boswell, Joe E. Brown, Betty Bruce, Abe Burrows, Red Buttons, Jeanne Carol, Myron Cohen, Perry Como, Vic Damone, Marlene Dietrich, Peter Donald, Duke Ellington, Evelyn Knight, Jinx Falkenberg, Tex McCrary, Harry Hershfield, Frances Faye, Sid Gary, Kay Francis, Jane Froman, Margo and Eddie Albert, Connie Haines, William Howard, Frankie Laine, Bert Lytell, the Merry Macs, Vaughn Monroe, the Nonchalants, Pat O'Brien and Mary McCarty.

Also, Jan Peerce, Irra Petina, Molly Picon, Jane Pickens, Jane Powell, the Gae Foster Girls, the Rockettes, Maurice Rocco, Mickey Rooney, Jean Sablon, Herb Shriner, Sam Sterner and his concert choir of 50. Menasha Skulnick, Ted Straeter, the Step Brothers, Jerry Wald, Paul Winchell and Henny Youngman.

The production committee is headed by Robert M. Weitman, managing director of the New York and Brooklyn Paramount theatres.

Three Films in 'B' As Legion Rates 16

Three pictures have been given "B" classifications by the National Legion of Decency in reviewing 16 pictures this week. They are: Paramount's "The Paleface," Universal - International's "You Gotta Stay Happy" and 20th Century-Fox's "When My Baby Smiles at Me."

Classified A-I were: United Artists' "Borrowed Trouble" and "Dangerous Venture"; Paramount's "Disaster," Columbia's "El Dorado Pass," 20th-Fox's "Tuscon," Monogram's "Outlaw Brand," "The Rangers Ride" and "Silver Trails," and Superfilm's "Montecassino" (Italian). Rated A-II were: "Her Man Gilbey," J. Arthur Rank-U-I; "He Walked by Night," Eagle-Lion; "The Plunderers," Republic, and "The Untamed Breed," Columbia.

20th-N.T. Divestiture

(*Continued from page* 1)

yesterday, is there any intention of devising a plan for the complete separation of the company's theatre interests from production and distribution either patterned after or similar to that recently concluded by RKO. Intent appears to be more an examination of what might constitute the company's maximum divestiture proposal, or how it best might meet a minimum government demand for divestiture, in furtherance of consent decree discussions or in ultimately complying with court orders.

ROPE

IN COLOR BY TECHNICOLOR



JOHNNY



JUNE BRI

FIGHTER



THE DECISION OF

CHRISTOP

ONE SUNDAY



THE GREAT ATTRACTIONS THAT CROWD WARNER BROS.' SCHEDULE TO THE END OF 1948 WILL BE ENRICHED BY THE RELEASE AT THE START OF 1949 OF





Adventures of **DON JUAN**

IN COLOR BY TECHNICOLOR



BELINDA

DE



"JUNE BRIDE" OPENS STATE-WIDE IN INDIANA TODAY! IT'S A BIG GOVERNOR-SPONSORED, AREA-BLANKETING BALLY FROM *Warner Bros!*

SQUADRON

IN COLOR BY TECHNICOLOR



IER BLAKE

AFTERNOON

IN COLOR BY TECHNICOLOR



No matter where you are... RUSH TO SEE—

"YOU GOTTA STAY HAPPY"

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondens. Estimates omit admission tax.*

BOSTON

Unprecedented warm weather with temperatures in the upper 70s prevailed over the weekend. Holdovers are "Johnny Belinda" and "Hamlet." Business is about average. Estimates for the week ended Nov. 10:

BLANCHE FURY (E-L-Rank) and THE GAY INTRUDERS (20th-Fox)—EXETER (1,300) (40c-80c) 3 days. Gross: $1,550. (Average: $5,000)

HAMLET (U-I-Rank)—ASTOR (90c-$2.40) (1,300) 12th and final week at this theatre. Gross: $10,000.

JOHNNY BELINDA (WB) and HOMICIDE FOR THREE (Rep.)—METROPOLITAN (4,367) (40c-80c) 2nd week. Gross: $25,000. (Average: $27,000)

JULIA MISBEHAVES (M-G-M) and BIG CITY (M-G-M)—STATE (3,500) (40c-80c) 2 days. Gross: $4,800.

JULIA MISBEHAVES (M-G-M) and BIG CITY (M-G-M)—ORPHEUM (3,000) (40c-80c) 2 days. Gross: $9,000.

THE MIKADO (U-I-Prestige) and MAN OF EVIL (UA-Rank)—EXETER (1,300) (40c-80c) 4 days. Gross: $3,200.

MOONRISE (Rep.) and TEXAS, BROOKLYN AND HEAVEN (UA)—PARAMOUNT (1,700) (40c-80c). Gross: $14,500. (Average: $17,000)

MOONRISE (Rep.) and TEXAS, BROOKLYN AND HEAVEN (UA)—FENWAY (1,373) (40c-80c). Gross: $5,900. (Average: $8,000)

RAGE STREET (RKO Radio) and VARIETY TIME (RKO Radio)—RKO-MEMORIAL (3,000) (40c-80c) 6 days. Gross: $15,000. (Average: $22,000)

RED RIVER (UA) and MANHATTAN ANGEL (Col.)—STATE (3,500) (40c-80c) 5 days. Gross: $9,500. (Average: $12,000)

RED RIVER (UA) and MANHATTAN ANGEL (Col.)—ORPHEUM (3,000) (40c-80c) 5 days. Gross: $15,000. (Average: $27,000)

THE SAXON CHARM (U-I) and GUNS OF HATE (RKO Radio)—RKO-BOSTON (3,200) (40c-80c). Gross: $12,000.

STATION WEST (RKO Radio) and APPOINTMENT WITH MURDER (FC)—RKO-MEMORIAL (3,000) (40c-80c) 1 day. Gross: $2,500.

ATLANTA

Business in all theatres is about average. Estimated receipts for the week ended Nov. 10:

BEYOND GLORY (Para.)—ROXY (2nd week on a moveover from the FOX (12c-50c) (2,446). Gross: $5,800. (Average: $5,800).

JOHNNY BELINDA (WB)—FOX (12c-50c) (4,446). Gross: $15,000. (Average: $15,000).

RED RIVER (UA)—LOEW'S GRAND (17c-54c) (2,446). 2nd week. Gross: $12,500. (Average: $15,000).

THE VELVET TOUCH (RKO Radio)—PARAMOUNT (12c-50c). Gross: $5,800. (Average: $5,800).

TORONTO

With power blackouts disrupting normal activities, Toronto exhibitors faced the problem with trepidation as public uncertainty cut business returns even though the larger theatres enjoyed the use of private generators for electricity. There were only two holdovers. Estimated receipts for the week ending Nov. 11:

THE BEST YEARS OF OUR LIVES (RKO Radio)—ODEON (2,319) (20c-35c-50c-60c-70c-80c-$1.20) 6 days, 3rd week. Gross: $12,500. (Average: $15,500)

DEAR MURDERER (E-L) and TRIPLE THREAT (Col.)—DANFORTH (1,400) (20c-36c-50c-60c) 6 days. Gross: $5,600. (Average: $6,000)

DEAR MURDERER (E-L) and TRIPLE THREAT (Col.)—FAIRLAWN (1,195) (20c-36c-50c-55c) 6 days. Gross: $4,700. (Average: $5,000)

HILLS OF HOME (M-G-M)—UPTOWN (2,761) (20c-36c-50c-66c-90c) 6 days. Gross: $11,600. (Average: $10,600)

JULIA MISBEHAVES (M-G-M)—LOEW'S (2,074) (20c-36c-50c-66c-78c) 6 days, 2nd week. Gross: $13,200. (Average: $14,200)

JUNE BRIDE (WB)—SHEA'S (2,480) (20c-36c-50c-66c-90c) 6 days. Gross: $16,700. (Average: $14,700)

MAN-EATER OF KUMAON (U-I)—BILTMORE (938) (15c-30c-36c-55c) 6 days. Gross: $4,300. (Average: $4,500)

MOURNING BECOMES ELECTRA (RKO Radio)—EGLINTON (1,086) (20c-36c-50c-66c) 6 days. Gross: $6,900. (Average: $6,900)

MOURNING BECOMES ELECTRA (RKO Radio)—TIVOLI (1,434) (20c-36c-50c-66c) 6 days. Gross: $7,700. (Average: $8,200)

ROPE (WB)—IMPERIAL (3,343) (20c-36c-50c-66c-90c) 6 days. Gross: $16,600. (Average: $14,600)

SMART GIRLS DON'T TALK (WB) and MR. RECKLESS (Para.)—NORTOWN (950) (20c-42c-60c) 6 days. Gross: $4,600. (Average: $5,000)

SMART GIRLS DON'T TALK (WB) and MR. RECKLESS (Para.)—VICTORIA (1,240) (20c-36c-60c) 6 days. Gross: $5,400. (Average: $5,800)

BALTIMORE

Gains made during recent weeks at box-offices here failed somewhat to hold for the current seven-day period. Holdovers are regarded as the major reason, with the second excuse being the lack of outstanding new shows. Estimated receipts for the week ending Nov. 11:

BELLE STARR (20th-Fox, re-release)—MAYFAIR (1,000) (21c-29c-54c). Gross: $4,500. (Average: $5,000).

THE GALLANT BLADE (Col.)—HIPPODROME (2,204) (29c-37c-50c-58c). With a stage show. Gross: $18,500. (Average: $17,000).

HENRY V. (UA)—LITTLE (328) (50c-60c-$1.00). Return engagement, 3rd week. Gross: $4,000. (Average at regular prices of 29c-37c-56c: $3,000).

KISS THE BLOOD OFF MY HANDS (U-I)—KEITH'S (2,404) (25c-37c-44c-54c). Gross: $10,000. (Average: $12,500).

A NIGHT AT THE OPERA (M-G-M Re-release)—VALENCIA (1,466) (29c-37c-45c-54c). Gross: $5,250. Average: $5,000).

RED RIVER (UA)—CENTURY (3,000) (29c-37c-45c-54c) 2nd week. Gross: $11,500. (Average: $14,500).

ROAD HOUSE (20th-Fox)—New (1,800) (29c-40c-50c-54c). Gross: $14,000. (Average: $12,250).

A SONG IS BORN (RKO Radio)—TOWN (1,450) (29c-37c-50c-56c). Gross: $12,000. (Average: $11,000).

SORRY, WRONG NUMBER (Para.)—STANLEY (3,280) 2nd week. (29c-37c-50c-58c). Gross: $13,500. (Average: $14,500).

Benedict Joins Sherman

WASHINGTON, Nov. 10.—William H. Benedict, producer, has joined Sherman Plan, Inc., in charge of film production. Al Sherman is president of the organization. Benedict's previous production activities included wartime film work with the United States Navy, and for Hullinger Productions, Business Films, American Film Services, National Geographic Society and others. Benedict will leave soon for Central America on a location trip.

Kislingbury to Radiant

CHICAGO, Nov. 10.—Radiant Manufacturing Corp., manufacturer of projection screens, has appointed Fred Kislingbury, veteran film man, to the post of Western district manager. Kislingbury's nine-year association with Paramount took him to Europe for three years.

Library Plans Film Unit

A film information service will be inaugurated at the main New York Public Library here shortly. The service will advise the public on films and keep files of reviews. It will also stock literature on motion pictures.

Mich. Allied Elects

(*Continued from page* 1)

Rene Germani, Monroe, board member, Dillon Wolverton, Chelsea, alternate; third district: Wayne Pulsipher, Bellevue, board member, E. J. Pennell, alternate; fourth district: Ray Branch, Hastings, board member; Mort W. Dennis, Paw Paw, alternate; fifth district: Herb Bosshoven, Grand Rapids, John Oatley, alternate; sixth district: Hen[illegible] Fox, Mason, Owen Todd, Flint, [illegible]nate; seventh district: Bob Schuckert, Caro, Harry Hobolth, Imlay City, alternate; eighth district: C. R. Beechler, St. Johns, Earl Annett, Durand, alternate; ninth district: Glenn Wallace, Scottville, Don Iverson, Lake City, alternate; tenth district: Ed Johnson, Bay City, Lee Ward, Mt. Pleasant, alternate.

Eleventh district: Carl Johns, Cheybogan, board member, Harry Levinson, alternate; twelfth district: Lawrence Jacobs, Escanaba, board member, Joseph DePaul, Sault St. Marie, alternate; thirteenth district: William Schulte, Detroit, E. E. Kirchner, Detroit, alternate, fourteenth district: Arnold Wisper, Detroit, Del Ritter, Detroit, alternate; fifteenth district: Jacob Stocker, Detroit, Ernie Kilbride, Detroit, alternate; sixteenth district: Charles Shafer, Wayne, John Vlachos, Flat Rock, alternate; seventeenth district: Irving Belinsky, Clawson, F. R. Forman, Oxford, alternate.

UA-SRO Deal

(*Continued from page* 1)

nick pictures, including "Duel in the Sun," "Mr. Blandings Builds His Dream House," "The Paradine Case," the forthcoming "Portrait of Jennie" and the reissue of "Intermezzo," will help absorb U. A. overhead at a time when the company's releases and backlog are not at a peak.

Maximum sales of SRO product to subsequent-runs have not been realized under the company's original setup. Efforts were made some time ago to sell to the smaller accounts by mail but the results were only partially successful. Numerous potential accounts remain unsold and could be readily tapped by the U. A. sales organization, it is pointed out.

Physical distribution for SRO has been handled by National Film Carriers heretofore. If the U. A. deal is approved that arrangement would be terminated. Gradwell L. Sears, U. A. president, and David O. Selznick negotiated the deal.

ATOI Convention

(*Continued from page* 1)

Members of the women's committee are Mrs. Blocher, Mr. Herndon and Mrs. Rembusch.

Former Gov. Harold G. Hoffman of New Jersey will be guest speaker at the banquet closing the convention tomorrow. Business for the second day will include talks by H. M. Richey of M-G-M on "Our Part in the Pattern"; J. W. Spiselman, on "A Clean Bill of Health for the Theatre"; Ainsworth, on "Impressions"; Abram F. Myers, on "20 Years With Allied," and Finneran, on "Stars Are Responsible."

Mrs. Gerena in New Post

Mrs. Sally Gerena, formerly with the J. Walter Thompson agency, has joined Foreign Screen Corp. here, as assistant to H. Alban-Mestanza, president of Foreign Screen.

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST COPY DO NOT REMOVE

FIRST IN FILM NEWS

VOL. [illegible] NO. 93 NEW YORK, U.S.A., FRIDAY, NOVEMBER 12, 1948 TEN CENTS

Conciliation Progresses in the Field

...s Being Considered by ...dditional State Units

With the Smith-Berger plans of conciliating differences between exhibitor and distributor already approved by four exhibitor organizations, under consideration in others and soon to be weighed in still additional territories, it is rapidly moving in the direction of adoption by a large number of associations within six months, as predicted by A. W. Smith, Jr., 20th Century-Fox general sales manager, while attending the ITO of Wisconsin and Upper Michigan convention at Milwaukee.

Designed to avoid needless litigation between buyer and seller of motion pictures, the plan has been adopted by North Central Allied, headed by Benjamin Berger; Allied of New Jersey, Independent Theatre Owners Association of New York, the ATO of California and the United Motion Picture Theatre Owners of Pennsylvania. It

(Continued on page 4)

First ITOA Test of Smith Conciliation

First hearings of complaints under the A. W. Smith, Jr., conciliation plan since its adoption by Independent Theatre Owners of New York will be held today at the office of Max A. Cohen, chairman of the conciliation committee.

Complaints have been brought by Leon Rosenblatt on behalf of two of his Rosenblatt-Welt theatres with 20th Century-Fox as respondent. Rosenblatt, a member of the ITOA conciliation committee, will step down

(Continued on page 4)

Rembusch, Others Re-elected by ATOI

INDIANAPOLIS, Nov. 11.—Trueman Rembusch was reelected president and Sam Neall as vice-president along with other incumbent officers at the convention of Associated Theatre Owners of Indiana here today. Others renamed are Marc J. Wolf as treasurer and William Carroll as executive secretary.

Joseph P. Finneran, Columbus, Ind., exhibitor, told the convention

(Continued on page 4)

Reagan Promotes 7 Among Field Force

Seven promotions from within the ranks have been made by Charles M. Reagan, sales vice-president of Paramount Pictures, all in the Eastern and Southern divisions, of which Hugh Owen is division manager.

Edward Maloney moves up from sales manager in Boston to branch manager in Albany, succeeding Ed Ruff, resigned. In Buffalo, salesman Maurice Simon takes over the branch managership from Mannie A. Brown, resigned.

These two promotions have advanced several other sales representatives. Jack Brown, salesman in New Haven, becomes sales manager in Boston, John Kane moves up from Boston booking manager to New Haven salesman, Wendell Clement, booker in Boston, becomes booking manager there, John McMahon steps up from Buffalo booker to salesman, Anthony Hassmer, apprentice booker in Jacksonville, is now booker in Buffalo

Appointments are effective Monday.

Mirisch, Goldstein Are Vice-presidents

HOLLYWOOD, Nov. 11.—The Monogram board of directors today created two new vice-presidencies in the company, electing Harold Mirisch a vice-president, and Maurice Goldstein vice-president in charge of sales.

The board and company franchise holders will continue their three-day conference on sales and product through tomorrow.

Increase in Coast Studio Employment

Hollywood, Nov. 11.—Studio employment showed an increase in September over August level, its lowest point in recent times, according to California Bureau of Labor Statistics reports.

The index, which takes 100 as a base figure, shows September employment at 74.3, comparing to August's 69.8. Index a year ago was 83.5. Average weekly earnings in September rose to $95.20, from August's $94.54.

Report Progress of Post-war Industry

Progress of the post-war motion picture industry around-the-world is reported today in *Motion Picture Herald's* annual "World Market" issue by foreign correspondents of Quigley Publications.

"With between 250 and 300 theatres in this country showing foreign language product, the importance of the American market to films produced abroad increased again this year," the *Herald* states, adding that, "foreign product registered its greatest gains along the Eastern seaboard and on the West Coast, but in the South and Midwest, too, an increased number of theatres offered outstanding foreign films on a spot basis."

In addition to a country-by-country report of industry conditions, the

(Continued on page 4)

'IA' Bids on Para., DeLuxe, RKO to NLRB on Monday

National Labor Relations Board examiner Julian Hoffman will conduct a hearing here Monday on IATSE Motion Picture Home Office Employes Local No. H-63's petitions for bargaining rights at the Paramount, RKO Radio and DeLuxe Laboratories home offices here. It will be the first such NLRB hearing to cover more than one company at a time in connection with H-63's invasion of Screen Office and Professional Employes Guild shops.

The companies have refused to "do business" with SOPEG because that CIO union has failed to comply with the non-Communist affidavit provisions of the Taft-Hartley Law. As a non-complying union, SOPEG is denied access to NLRB services and, there-

(Continued on page 4)

Says MPEA Is Unfair To Independents

It is virtually impossible for independents to get distribution in Japan because of the present "unfair setup by the Motion Picture Export Association," Nat Nathanson, independent distributor, charged here yesterday. Nathanson has just returned from a two-month trip to the Far East.

Nathanson declared that Japan, "with its 2,700 theatres and 85,000,000 population, is an important potential market," but independents cannot get their pictures shown there because the MPEA "favors the majors."

Asserting that the MPEA controls the channels of distribution in Japan, he said that if the Supreme Command

(Continued on page 4)

See UA Delay On Release Deal with SRO

Board Members To Seek Time to Weigh Proposal

While the United Artists board will meet today to consider a deal with SRO, it was held to be highly unlikely last night that the board will make its decision today but take the negotiations under advisement for final determination at a future meeting. Board members are expected to insist upon an opportunity to weigh the proposal further.

Mary Pickford, who owns UA with Charles Chaplin, arrived in New York from California yesterday on an unscheduled flight precipitated by the SRO negotiations. According to one source, the deal provides for a two-year arrangement under which SRO will abandon its own offices and operate through UA with its own sales force intact and continuing to bear the SRO imprimatur.

Academy to Fight For Patent Rights

HOLLYWOOD, Nov. 11. — The Academy of Motion Picture Arts and Sciences is planning legal action in the form of a petition to the U. S. Patent Office for cancellation of trademark rights to the term "Academy Awards" issued in 1946 to South African circuit owner M. A. Schlesinger. The Academy itself is bent on having a copyright on the phrase.

Herschel Green, Academy attorney, reports that rights to "Academy Awards" as a trademark are now held by Academy Awards, Inc., a New York corporation formed by Schlesinger who intends to use the

(Continued on page 4)

Fears Freeze May Hit TV Investments

WASHINGTON, Nov. 11.—Approximately 100 television stations now under construction would be involved by a ruling requested today from the Federal Communications Commission as to whether such outlets may safely complete their facilities without jeopardizing their investments.

Leonard H. Marks, Washington counsel for a Huntington, W. Va.,

(Continued on page 4)

Personal Mention

WALTER WANGER and JOAN BENNETT, his wife, will return to Hollywood today from New York.

•

ALAN LADD and his wife, BILLY DE WOLFE, VIRGINIA MAYO, MICHAEL O'SHEA and PATRICIA NEAL are due here Monday from the Coast en route to the British Command Performance in London on Nov. 29. They will sail from Halifax Tuesday aboard the *SS Mauretania.*

•

CHARLES M. REAGAN, PAUL RAIBOURN, BEN WASHER and STANLEY SHUFORD will leave Hollywood over the weekend by plane for New York following conferences at the Paramount studio.

•

DR. C. E. KENNETH MEES, Eastman Kodak research vice-president, has been awarded the "Progress Medal" by the Photographic Society of America.

•

BEN ROSENWALD, M-G-M Boston branch manager, and BEN BEBCHICK, salesman there, returned to their headquarters yesterday from New York.

•

HERBERT WILCOX and his wife, ANNA NEAGLE, will leave here for London on Sunday via Halifax where they will board the *SS Mauretania.*

•

THOMAS MILLER has been appointed theatrical distribution coordinator for the National Film Board of Canada.

•

RUBE JACKTER, Columbia's assistant general sales manager, will leave here today for Pittsburgh.

$10,500 Gross for 'Joan' on 1st Day

Walter Wanger's "Joan of Arc" grossed an estimated $10,500, SRO business, in its public opening at the re-built Victoria Theatre here yesterday. The 1,100-seat house had seven performances, opening at 95 cents at nine A.M. increasing to $1.50 at 11 A.M., and to $1.80 from five P.M. to closing. Victoria will have a $2.40 top on Saturdays. Theatre previously had a seating capacity of 700, thus no comparison figures can be given. However, management claims "Joan" outdistanced opening day's business for "Best Years of Our Lives" at the 1,260-seat Astor. The Victoria's price scale is above the Astor's though.

Harris Testimonial On Sunday Night

PITTSBURGH, Nov. 11.—John H. Harris, one of the founders of Variety Clubs International, and its present "International Big Boss," will be feted at the 21st annual banquet to be given by Tent No. 1 at the William Penn Hotel here on Sunday.

A number of industry executives from the local area, New York and elsewhere, will attend.

Insider's Outlook

By RED KANN

ONE of the best kept secrets of recent months in an industry dubiously renowned for its blabbermouths is the much-discussed deal whereby the Selznick Releasing Organization, as presently constituted, will give up its expensive ghost and distribute through United Artists. Initial manoeuvres got under way several months ago when Grad Sears, for UA, began to feel his way with Dan O'Shea, for Vanguard, which is one of the member companies in the Selznick family of corporations.

At that point—and, in fact, for a number of weeks—the discussions were confined to these two and only broadened to include others within UA and SRO when further progress lacked feasibility without their inclusion. After all, no one extant is in the position of deciding what a stout, strong-minded feller like David Oliver Selznick is to do without getting him into the picture. While logically this had to happen, the probability is that O'Shea went quite a distance with Sears before Selznick knew what went on. More a fact than a probability is that Sears acted for UA before Partners Pickford and Chaplin were made part of the necessary scenery.

■

The news columns report the UA board which will consider the negotiations for the first time today will not cast a vote. Nor will it be asked to do so. It is foregone that questions will be asked, some of them on the penetrating side, and that the decision will be deferred until a future meeting after the directors representing the owners have had full opportunity to probe the desires and the reactions of their principals.

Whether or not the negotiations which now require board approval get the nod remains to be seen. The fact that Sears, acting for management, favors the deal does not guarantee the directors will approve. Yet, regardless of the outcome, the situation in itself is interesting in the light of scads of earlier history—how Selznick, as a one-time UA partner, battled well nigh to the barricades with Miss Pickford and Chaplin when the splitup developed several years ago; how mighty became the recriminations on both sides with such generous talk about suits and countersuits; how Selznick practically sneered at UA's capabilities as a distributor; how Neil Agnew, under instructions, demanded a settlement on David's terms or confront UA with a rival organization never loathe to lure away some UA-releasing producers.

■ ■

Speculation over the impending change at 20th-Fox could end with this:

The forthcoming deal under which Charlie Einfeld becomes vice-president in charge of advertising, publicity, et al, traces to Darryl F. Zanuck, who wanted him. For history, recall that Zanuck knows Einfeld and his established record from the time both were with Warners.

Spyros Skouras was not especially happy about any need to replace Charlie Schlaifer with Einfeld or anyone else on his conclusion, which many disinterested observers incidentally share, that Schlaifer had been delivering on all cylinders. But there developed what is known as a "situation" with consequences easily foreseen.

Meanwhile, Schlaifer goes so far as to state he will go into business for himself. Offering no details, the details run something like this:

He will enter the advertising agency field with the 20th-Fox account and probably in association with Kayton-Spiero Co., Inc., which now handles the company, until he builds up to the required standard in the agency field, after which he will cut loose on his own.

■ ■

Now that the Aga Khan, spiritual leader of the Moslems, is in the picture all Eagle-Lion offices are being faced toward the East.

Robert Mitchum
Barbara Bel Geddes
Robert Preston
in
BLOOD ON THE MOON
GLOBE, B'way at 46th St.

REX HARRISON LINDA DARNELL
RUDY VALLEE BARBARA LAWRENCE
"UNFAITHFULLY YOURS"
A Twentieth Century-Fox Picture
ON VARIETY STAGE — PETER LIND HAYES - MARY HEALY - JACK COLE AND HIS DANCERS
ON ICE STAGE — FIESTA
ROXY 7th Ave. & 50th St.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
ROCKEFELLER CENTER
JOAN FONTAINE-JAMES STEWART
"YOU GOTTA STAY HAPPY"
EDDIE ALBERT
A WILLIAM DOZIER PRESENTATION
A UNIVERSAL-INTERNATIONAL PICTURE
SPECTACULAR STAGE PRESENTATION

DARRYL F. ZANUCK presents
OLIVIA de HAVILLAND
the Snake Pit
Directed by ANATOLE LITVAK · Produced by ANATOLE LITVAK & ROBERT BASSLER
20th CENTURY FOX
RIVOLI B'way & 49th Street

"SEALED VERDICT"
starring RAY MILLAND with FLORENCE MARLY
A Paramount Picture
In Person FRANKIE LAINE and CONNIE HAINES DAVE BARRY THE CLARK BROTHERS Extra Added Attraction JERRY WALD And His Orchestra
PARAMOUNT TIMES SQUARE MIDNIGHT FEATURE NIGHTLY

SAMUEL GOLDWYN presents
DANNY KAYE
VIRGINIA MAYO
"A SONG IS BORN"
COLOR BY TECHNICOLOR
Broadway at 45th Street ASTOR Cont. from 8:45 A.M. Midnight Show

J. Arthur Rank presents
"THE RED SHOES"
Color by Technicolor
BIJOU THEATER, 45th Street West of Broadway
All Seats Reserved, Mail Orders
Twice Daily
Extra Matinees Saturday and Sunday
Late Show Saturday Evening 11:30
An EAGLE LION FILM Release

JOAN OF ARC starring
INGRID BERGMAN
VICTORIA B'WAY at 46th ST
COLOR BY TECHNICOLOR
CAST OF THOUSANDS

IDA LUPINO · CORNEL WILDE
CELESTE HOLM · RICHARD WIDMARK
ROAD HOUSE
20th CENTURY-FOX
DOORS OPEN 8:30 A.M.
MAYFAIR
7th Ave. & 47th St.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York.", Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.



Broadway Engagement at Brandt's Globe Theatre

Rules Television Is Film Competition

PHILADELPHIA, Nov. 11.—Tavern television, which has been provoking many exhibitors to protest against what they regard as unfair competition, received another setback this week when the State Supreme Court upheld a lower court ruling to the effect that taverns which show video must obtain an amusement license in accordance with an order issued in March, 1947, by the State Liquor Board.

Justice Charles A. Jones wrote in his opinion that television entertainment would not be fairly characterized as anything else but a motion picture exhibit, thereby placing taverns which show video within the purview of the Liquor Control Act.

DeRochemont Bids For 'Lost Boundaries'

HOLLYWOOD, Nov. 11.—Producer Louis DeRochemont today opened negotiations with M-G-M for purchase of "Lost Boundaries," which he was to have produced for that studio under a contract which lapsed when the company cancelled the production due to costs which it deemed excessive. DeRochemont flew here to negotiate the purchase following settlement of his contract in New York.

Video High on SAG Agenda for Sunday

HOLLYWOOD, Nov. 11.—Screen Actors Guild will hold its annual membership meeting Sunday evening with a report on television as a medium for actors and on preparations for collective bargaining negotiations with video producers among matters on the agenda. Ronald Reagan, re-elected president, will preside over installation of officers.

Fears Video Freeze

(*Continued from page* 1)

television permittee, asked the commission to allow a delay in construction until the question of allocations is determined at the conclusion of the "freeze" on video applications. He also requested a declaratory ruling which would assure, in the event extensions are not granted, that any changes in technical requirements will not alter a station's basic engineering facilities.

Says MPEA Is Unfair

(*Continued from page* 1)

of Allied Powers were familiar with the situation, it would, "in order to play fair with the industry as a whole," grant a license to an additional unit to represent independents.

Citing what he called another abuse, Nathanson added that the majors are getting a minimum of 50 per cent of theatre grosses, from both first and subsequent runs.

From Newark—MIAMI $50
FLY OVERNITE TO Coast to Coast
COAST TO COAST $88 PLUS TAX
SKYCRUISES, INC. DC-4 • 12 HOURS
Air Travel Agency
HOTEL DIPLOMAT 108 W. 43rd St. New York City BRyant 9-3707
HOTEL BRISTOL 423 W. 8th St. Los Angeles Trinity 8662

Reviews

"The Golden Eye"

(*Monogram*)

CHARLIE CHAN, the famous Chinese detective, once again is called upon to display his sleuthing ability, this time in a case that rises out of attempts to kill a mine owner. The film, which presents Roland Winters as the Oriental detective, is on a par with predecessors in the series. He and his number two son, Victor Sen Young, and Birmingham, played by Mantan Moreland, set off for a nearby desert inn to solve the mystery. In this Western setting they find that the mine owner has had a serious accident and is unconscious. His daughter, played by Wanda McKay, urges Chan to discover quickly the reason for the mysterious accident. Chan solves the situation in his characteristic manner and finds that the men responsible for gold smuggling wanted to gain all the spoils and attempt to kill the mine owner. The owner is finally murdered before Charlie Chan is able to obtain sufficient evidence to seize the leader. The plot unfolds in an interesting manner in this W. Scott Darling original screenplay which features characters created by Earl Derr Biggers. James S. Burkett produced and William Beaudine directed.

Running time, 69 minutes. General audience classification.

"Jungle Goddess"

(*Screen Guild*)

WITH a dense African jungle the setting, this standard outdoor adventure drama offers many action shots of lions, elephants and tigers. The story's development also is punctuated by interludes showing natives in gay costumes performing tribal rites.

The plot concerns a young girl, played by Wanda McKay, who is the sole survivor of a plane crash in an African jungle. She is rescued by a tribe of natives who proclaim her their "white goddess." Six years later two pilots attempt to locate the girl. Her father's will stipulated that the persons who found his daughter, dead or alive, would receive a sizeable sum.

When the airmen reach the tribe's village they meet the "white goddess" and all three plan to escape. However, one of the airmen discovers that there is a valuable deposit of ore nearby. He fights with his companion, played by George Reeves, because he wants to claim the ore and reward for himself. In a harrowing escape through the jungle, the girl and the two men find their way to their plane, while a group of tribesmen pursue them. Ralph Byrd, who tried to doublecross Reeves, is killed and the girl and Reeves fly to freedom. William Stephen produced and Lewis D. Collins directed.

Runnning time, 61 minutes. General audience classification.

Suspend Publicists In Warner Slowdown

HOLLYWOOD, Nov. 11.—Warner's studio will suspend employment for eight publicists and eventually will effect proportionate temporary reductions in other departments as a consequence of a production slowdown announced some time ago because of a 23-picture backlog.

"Task Force," now shooting, will continue in work through December with no pictures definitely dated to start in January. Work on scripts and other pre-shooting activity will continue during the slowdown.

CEA Softens Hecht Ban to a Protest

LONDON, Nov. 11.—An amended resolution registering strong objections to any future films with which Ben Hecht, American writer and director, is connected and advising exhibitors to refuse to show them has been adopted by the Cinematograph Exhibitors Association following representations by distributors that the original ban on Hecht's past films is of no harm to the writer but jeopardizes the business of distributors.

NLRB Hearing

(*Continued from page* 1)

fore, cannot be represented at the Monday hearing. However, SOPEG has indicated that it intends to sign the affidavits and therefore may be qualified to participate in such contests in the future.

H-63 will be represented by business agent Russell Moss, "IA" international organizer James Rogers.

Conciliation

(*Continued from page* 1)

has been approved by the boards and is awaiting ratification by members of Tri-States Theatre Owners and Allied T. O. of the Gulf States. Additionally, it is high on the agenda of the convention of national Allied, in New Orleans, Nov. 29-Dec. 1.

It is under consideration by the Independent Theatre Owners of Indiana and Allied of Western Pennsylvania.

Berger reported in Minneapolis last week that the plan is working well in Minneapolis, adding that he expected all Allied state units to follow the directions of the national Allied board in either accepting or rejecting it when the board meets prior to the New Orleans convention.

Meanwhile, the Theatre Owners of America contemplates a 60-day test of a conciliation plan.

Academy to Fight

(*Continued from page* 1)

trademark on ball-point pens and about 30 other articles of merchandise. The Bulova Watch Co., meanwhile, has proposed to the Academy here that the trademark be used on watches, for a price. Schlesinger meanwhile has indicated willingness to release "Academy Awards" for use on watches only—for $100,000.

Date for filing of the Academy's petition with the patent office has not been set. The action may be paralleled by similar action against two other concerns which sought to copyright or register "Academy Awards," one concern in 1947, the other this year.

Russell Urges More Films on Tolerance

ALBANY, N. Y., Nov. 11.—Several more pictures like "Gentleman's Agreement" would be an important contribution in the campaign against discrimination, Harold Russell, armless veteran who was featured in Samuel Goldwyn's "The Best Years of Our Lives," said here in a talk before the Gideon Lodge of B'nai B'rith.

Russell, who indicated he would appear in another picture if he could find the right script, said that after his graduation from Boston University he plans to join Samuel Goldwyn as a staff publicist. He is currently touring the nation's high schools with his plea for tolerance.

Selznick Purchases 'The Eyewitness'

David O. Selznick reported here yesterday that Selznick Releasing Organization has purchased "The Eyewitness" from London Films for distribution in the Western hemisphere. "The Eyewitness" was produced and directed by Carol Reed, stars Sir Ralph Richardson and Michele Morgan, and is based on a short story by Graham Greene, who won the First International Prize at the Venice Film Festival this year, for his screen play.

Post-war Industry

(*Continued from page* 1)

"World Market" issue contains a record of admission prices of foreign countries, a list of theatre supply dealers throughout the world, an article entitled "Motion Picture Equipment Export Pushed by British," another on "American Theatre Equipment Standards," intended especially for foreign readers, a pictorial display captioned "Theatres of the Screen Today Around the World," a list of "Industry Film 'Ambassadors' Abroad," representing personnel of American film and equipment companies abroad, a pictorial display of scenes from important foreign productions, and other pertinent features.

Rembusch Reelected

(*Continued from page* 1)

that a plan he suggested to curb misconduct of stars is now being put into working form by Abram F. Myers, general counsel of Allied States, and will be submitted to the national convention at New Orleans. It was not introduced here, however. Myers, who was slated to speak today, did not attend.

First ITOA Test

(*Continued from page* 1)

from the panel while the complaints are heard and decided. Serving with Cohen for ITOA will be Abe Leff and J. Joshua Goldberg.

Indications are the committee will continue active with additional complaints already in prospect.

New RCA Microphone

CAMDEN, N. J., Nov. 11.—A new uni-directional microphone, designed specifically to meet the requirements of sound recording technicians at Hollywood studios and claimed to be especially useful in making films for television, has been developed by the film recording group of the RCA engineering products department.





Architect for castles—and cottages...

FROM blueprint to model to full-size structure—so grew this "dream castle"—product of the set designer's skill.

As architect for filmdom's castles and cottages, he heightens dramatic effect by his creative work with materials and textures. His sets help establish and maintain story mood... give camera and actors the freedom needed to do full justice to the scene.

For this he must be more than master architect: he must have real understanding of the photographic element in which his sets will "live."

And from his close association with the camera art, he knows how much creative latitude depends on the proper films. Films with the versatility for which the Eastman motion picture family has long been famous.

EASTMAN KODAK COMPANY
ROCHESTER 4, N. Y.

J. E. BRULATOUR, INC., DISTRIBUTORS
FORT LEE • CHICAGO • HOLLYWOOD

An Achievement in the Annals of Screen Acclaim

"A Motion Picture of Irresistible Power. It Stands Alone!"

HOWARD BARNES—N. Y. HERALD TRIBUNE

"A Great Picture!"

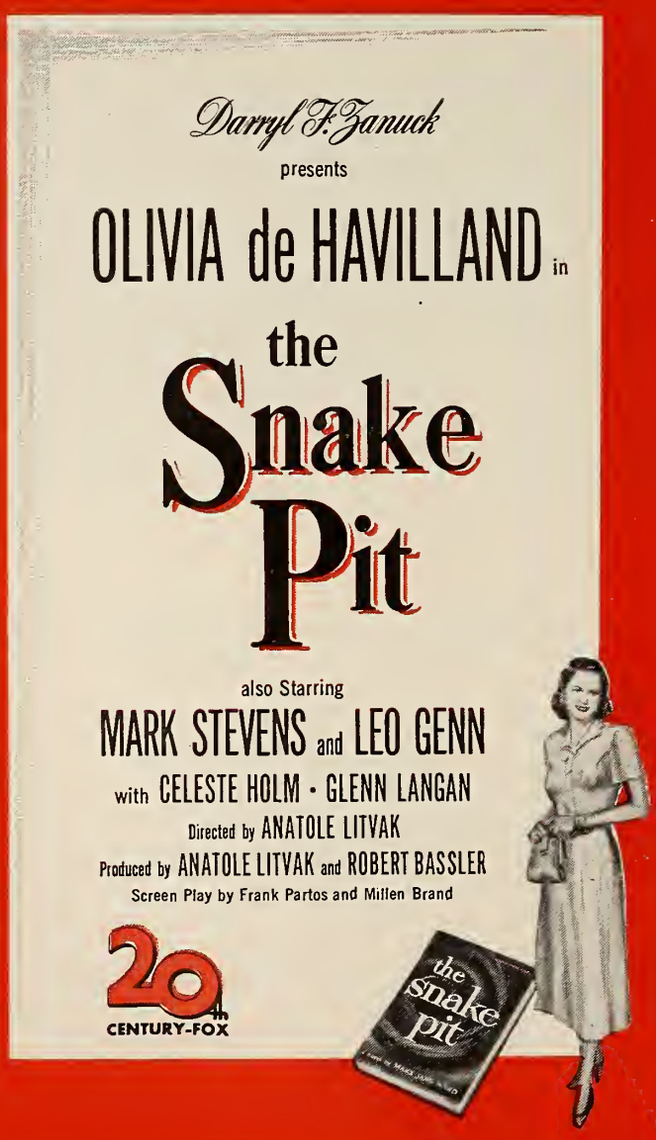
HARRISON'S REPORTS

"Fascinating and Deeply Moving!"

BOSLEY CROWTHER
—N. Y. TIMES

"Terrific! Ranks Near the Top in Any Year!"

ARCHER WINSTEN
—N. Y. POST-HOME NEWS



"Powerful! Sheer Inspiration!"

KATE CAMERON
—N. Y. DAILY NEWS

"A Strong Experience Not Easily Forgotten!"

EILEEN CREELMAN
—N. Y. SUN

NOW SETTING ALL-TIME 20th CENTURY-FOX RECORDS AT THE WORLD PREMIERE, RIVOLI THEATRE, N. Y.

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 73 NO. 94 NEW YORK, U.S.A., MONDAY, NOVEMBER 15, 1948 TEN CENTS

FILE COPY DO NOT REMOVE

MOTION PICTURE ASSOC. OF AMERICA, 28 WEST 44TH ST., 21ST FL. NEW YORK, N. Y. (6 COPIES)

TOA Makes Its Conciliation All-Embracing

Only Price Complaints Are Excluded: Lockwood

Any and all claims arising between exhibitors and distributors, except complaints on the prices of films, are to be conciliated by state and regional Theatre Owners of America units under the 60-day trial program instituted by the national organization, it is explained by TOA president Arthur H. Lockwood in a statement sent at the weekend to member theatres.

Lockwood lists the following as being among the matters which are arbitral under the TOA conciliation plan: failure to supply prints on time, conditioning the licensing of one feature upon another, tying in

(Continued on page 6)

M-G-M Slates 41 Pictures

With 16 pictures completed and four others before cameras, Metro-Goldwyn-Mayer has scheduled 21 additional productions to be filmed in the coming months as a result of decisions by Nicholas M. Schenck, president; Louis B. Mayer, executive head of the studio, and Dore Schary, in charge of production.

Of the 21 new productions, 12 are to be in Technicolor and 10 of the 20 completed or shooting are also in color. This will set a new color record for M-G-M, the total being more than 50 per cent. Two pictures on the list of 21 are to be filmed abroad, "Conspirator" in England, and "Quo Vadis" in Italy.

U. A. Board Defers Vote on SRO Deal

United Artists board of directors in a full-day session on Friday canvassed the various aspects of the projected new distribution arrangement with Selznick Releasing Organization and adjourned to an unspecified date without taking a vote to ratify or reject the deal.

Ultimate approval is expected when the board representatives of co-owners

(Continued on page 6)

1-Year Video Test Set for U.K. Theatres

LONDON, Nov. 14.—A one-year experimental period has been set for a selected number of films to be televised by the government-controlled British Broadcasting Co. for theatre pick-up, following a meeting of the Film Trade Committee, representing exhibitors and distributors, and representatives of BBC. It was also agreed at the meeting that theatres should be allowed to publicly exhibit selected BBC material. The agreement ended a two year deadlock.

BBC decline to discuss a proposal that film interests transmit their own programs on a private wave band, stating that such a proposal demanded

(Continued on page 7)

Formula Is Set on Video Jurisdiction

What is described by the IATSE as an important step toward settling the No. 1 television labor jurisdictional problem has been taken by the three large unions in that field with the signing of an agreement for "consent elections" in seven different bargaining-unit categories. First station where the formula will be applied will

(Continued on page 7)

N. Y. COURT SIGNS ANTI-ASCAP ORDER

Bars Collections from Theatres; Ascap Will Appeal and Ask a Stay

Federal Judge Vincent Leibell on Friday handed down the New York District Court's decree against the American Society of Composers, Authors and Publishers, which, if sustained on appeal, will remove the Society as now constituted entirely from the theatre licensing field and will direct that composers license both public performance and synchronization rights simultaneously and only to film producers.

Ascap will file an appeal with the U. S. Circuit Court of Appeals this week.

Judge Leibell's judgment is substantially the same as had been expected due to his previous findings, amended findings and opinion of Oct. 27.

The court rejected Ascap's petition for a stay of judgment pending the outcome of its appeal and Ascap will

(Continued on page 6)

Quebec to Tighten Film Censorship

Montreal, Nov. 14.—Censorship of films in the province of Quebec is going to be stiffened, Premier Maurice Duplessis indicating that this is aimed "to safeguard our rights and our citizens."

New Trouble Seen in Denham Dismissals

LONDON, Nov. 14.—Further studio trouble is anticipated here following the expiration Friday of the extended notices dismissing 92 supposedly surplus Denham workers.

The British Film Producers Association previously issued a statement declaring that following discussions with trade unions, Rank had agreed to withdraw completely 19 dismissal notices and also suspend nine others pending an inquiry. Of the remaining 69, Rank offers to absorb 14 at his Pinewood studio. The Works Committee refused to accept this, claiming again that no surplus exists, but the BFPA informed the unions that Rank was unable to grant further exemption.

Wide Agenda For MPA Meet

Stage is set for the opening here tomorrow of the three-day meeting of top-rank industry executives on the board of directors of the Motion Picture Association of America, with the agenda described as being "the most comprehensive ever approached by the Association."

"Every problem facing the American motion picture industry as a whole, both at home and abroad will come in for discussion," said a spokes-

(Continued on page 7)

UK Crisis Brings Demand For Action to Commons

LONDON, Nov. 14.—If British film production fails to meet the needs of this country's theatres under the 45 per cent quota and if the financial resources of J. Arthur Rank and Sir Philip Warter, chairman of the board of Associated British Pictures Corp., dry up, Britain will find itself compelled to implore American producers to take over management of the British industry, the House of Commons was warned on Friday by Tom O'Brien, general secretary of the National Association of Theatrical and Kine Employes.

In the face of the mounting crisis confronting the British industry, Harold Wilson, president of the Board of Trade, replied that he would convoke all sections of the industry shortly to discuss the situation.

Insisting that the British govern-

(Continued on page 7)

Brotherhood Week Post to Depinet

Ned E. Depinet, RKO president, has been appointed chairman of the motion picture committee for "Brotherhood Week—1949," which will sponsored by the National Conference of Christians and Jews beginning Feb. 20. Nelson A. Rockefeller is general chairman. Leon J. Bamberger of RKO Radio will serve as executive assistant to Depinet in marshalling industry participation.

A "kick-off" luncheon for workers in the film industry will be held at the Waldorf-Astoria here on Nov. 23.

Meanwhile, the executive committee of the amusements division of the NCCJ will hold a luncheon-meeting tomorrow at the Waldorf-Astoria.

Anglo-US Parley Now Set for March

First meeting of the Anglo-American Joint Film Advisory committee has again been set back, this time to March 23-25, in New York, according to a simultaneous announcement in London and New York by J. Arthur Rank, president of the British Film Producers Association, and Eric Johnston, president of the Motion Picture Association of America. This is the third date for the projected meet-

(Continued on page 7)

Personal Mention

ARTHUR LOCKWOOD, Theatre Owners of America president, is due here tomorrow from Boston.

•

DORE SCHARY, M-G-M production vice-president, will participate in a panel discussion Thursday at Columbia University's Institute of Human Relations on "Communications and Human Relations." SCHARY is due here today from the Coast.

•

G. I. WOODHAM-SMITH, chief counsel for the J. Arthur Rank Organization, was scheduled to return to London at the weekend following conferences here with Universal-International executives.

•

WALTER WANGER, scheduled to leave here for the Coast last Friday, postponed his departure until Wednesday.

•

BILL SCHULMAN, Realart advertising-publicity director, has returned to New York from Albany and Rochester.

•

E. J. MANNIX, M-G-M studio executive, will sail from England on Wednesday for New York on the *SS Queen Elizabeth.*

•

F. J. A. MCCARTHY, Universal-International Southern and Canadian sales manager, will be in Indianapolis today from New York.

•

AL HORWITS, Universal-International Eastern publicity manager, is in Boston today from New York.

•

PAUL BRODER, Realart president, is here from Detroit.

Paramount Officials Return from Studio

Paramount Eastern executives who completed conferences with the company's studio executives on Friday were due to return to New York over the weekend with the exception of Charles M. Reagan, sales vice-president, who will go to San Francisco for a series of sales meetings with representatives of branches in the Western division.

Those returning to New York include Paul Raibourn, Stanley Shuford and Ben Washer, and Rudolph Montegelas, president of Buchanan and Co., advertising agency.

Dismiss Century Unit From Conspiracy Suit

The Delaware affiliate of Century Circuit, Inc., has been dismissed from the $1,200,000 triple-damage anti-trust action filed in U. S. District Court here by Max A. Cohen's Anwell Amusement Corp. against RKO Radio and several theatre companies. Plaintiffs' attorney filed papers at the weekend stipulating the dismissal.

Suit alleges conspiracy to deprive Anwell theatres of product.

Tradewise . . .

By SHERWIN KANE

WITHIN the space of an hour last Monday, the New York Federal statutory court conducting rehearings of the government anti-trust suit at the direction of the U. S. Supreme Court approved the RKO consent decree providing for complete theatre divorcement and, subsequently, expressed the belief that some, but not total, divorcement is called for in the current court proceedings.

That expression was reassuring to the other four theatre-owning defendants in the so-called Paramount case.

Many industryites believed that approval of the RKO decree would, in effect, establish a standard for theatre divorcement from which the government could not deviate materially either in consent decree negotiations with the other four defendants or in the position on divorcement it would take before the court.

Now the court itself has dissipated that belief. It may have recognized that Howard Hughes' disinterest in theatre operation, which brought about the RKO decree, was an individual matter which in itself had no significance as legal precedent or business policy applicable to others.

The court went even further. It included the government's insistence upon complete theatre divorcement for all defendants in what it referred to as "the extreme positions" being taken by both sides and added the warning that, if persisted in, neither "will get very far" with this court.

The way has been left open to the other four theatre-owning companies and the government to attempt to reach agreements on theatre divestiture and divorcement without influence from the self-elected and self-imposed decree of total divorcement of an erstwhile co-defendant.

• •

Basic problems of music performing rights for motion pictures will begin to manifest themselves soon after a final decree is entered in the current exhibitor actions against Ascap. They will mean trouble and expense for producers; the more trouble, the more expense. And you know who foots the bills for production expense, in the long run.

The courts may decree that a copyright owner should negotiate with a producer for performing rights to music at the same time that recording rights are negotiated. Yet the Federal copyright laws assure copyright owners that they may refuse to sell performing rights if they wish. They may sell, give them away or refuse to sell. It's up to them.

And what will producers do about the world rights they must have for international distribution of their pictures? Individual copyright owners cannot clear such rights. Some costly new arrangement is suggested.

Producers themselves, it is to be recalled, could have avoided the present music licensing unpleasantness and uncertainties.

In 1936, Ascap proposed to the copyright committee of the then Motion Picture Producers and Distributors of America, the present MPAA, that producers acquire from Ascap the performing rights to music simultaneously with the acquisition of recording rights.

The producers' copyright committee summarily rejected the proposal, although Ascap made it as attractive as possible by assuring that performing rights fees would not be increased and by emphasizing that such a move on the part of producers would do much to improve the dangerously strained relations existing at the time between the producers and their exhibitor customers.

However, it should be said that while producer acceptances of the Ascap proposal would have settled the issue then, the present turmoil may be laid squarely on the doorstep of the Ascap executive committee, largely influenced by motion picture publisher interest, and Ascap management. It was their irrational and, perhaps, devious, rate increase demands in the summer of 1947 that touched the spark to the powder keg of exhibitor reprisal.

• •

We can't vouch for its authenticity, but we've heard it told with a straight face: That the Society of Independent Motion Picture Producers, meeting here late in October, all but agreed on making an offer to one Harry S. Truman of Independence, Mo., to take over the SIMPP presidency, only to learn, a few days later, that he would not be available before 1953.

Newsreel Parade

THE crisis in France and the ne Gen. Patton tank are newsre highlights. Others items include sport fashions and varied human intere stories. Complete contents follow:

MOVIETONE NEWS, No. 91—Thu derbolt hunters: science reveals phenomen in lightning. Oregon: flood-ruined Vanpo is salvaged. Long Island surplus crop potatoes are buried for winter. Fur fashion Sports: football, racing, hunting, g trai ing.

NEWS OF THE DAY, No. [illegible]—Sto of the week: Will DeGaulle stop the Reds More power for Berlin air lift. New wond of science. The St. Hubert stag hunt.

PARAMOUNT NEWS, No. 24—Sno birds rush season for ski doings. France troops restore order in mine crisis. Tank come out of moth balls. Fashions: look wha Paris has. Touchstone parade.

UNIVERSAL NEWSREEL, No. 195 French crisis: coal strike. Gen Patton tank Poppy Queen. Jet auto. Smoking match Football. Skiing.

WARNER PATHE NEWS, No. 26 West opens new air lift base. People in th news: Danny Kaye, Dr. Paul Muller, Mrs Roosevelt. Gen. Patton tank. Giant magnet Sports: Football, ski season starts. Do show in Miami.

Columbia's Annua Drives Starts Nov. 19

Columbia's sales and billings drive for 1948-49 will be dedicated to the company's 31 branch managers, with the manager in each territory personalizing it on his own. The campaign will run from Nov. 19 through Feb 17, with independent producers associated with the company joining and contributing a proportion of the prizes for managers, salesman, bookers and office managers.

U-I's Scully Promotes Martin and Hudgens

Henry H. Martin, Oklahoma City branch manager for Universal-International, has been promoted to branch manager in Dallas, by William A. Scully, sales vice-president. Charles W. Hudgens succeeds Martin in Oklahoma City.

Martin joined the company in 1935 as an accessory clerk in Oklahoma City and in the same year was appointed a booker. He was named Oklahoma City manager in 1946.

E-L's 'Mystery Drive' Will Honor Schlaifer

Eagle-Lion's "Mystery Sales Drive" will be dedicated to L. J. (Jack) Schlaifer, who recently was named general sales manager, it was announced here at the weekend by William J. Heineman, sales vice-president. The campaign will begin Dec. 3, and run for 26 weeks, through June 2.

Wood Favors End of Hollywood 'Red' Quiz

WASHINGTON, Nov. 14.—Rep. John S. Wood, Georgia Democrat, who is slated to become the chairman of the House Un-American Activities Committee in January under the new Congress, said here at the weekend that he is against continuing the probe of Communist activities in Hollywood.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street. Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.


COLUMBIA'S
SWORD
and
DAGGER
TRIUMPH!
COLUMBIA PICTURES presents
Larry PARKS · Marguerite CHAPMAN
in The GALLANT BLADE
with
VICTOR JORY · GEORGE MACREADY
Screenplay by Walter Ferris and Morton Grant
Directed by HENRY LEVIN · Produced by IRVING STARR
in CINECOLOR

HOW'S SCREEN MAGAZINE BOX OFFICE?

It's SENSATIONAL

TOTAL INCREASE OF 352,232!



*Complete data on request.

MODERN SCREEN • MOTION PICTURE • MOVIE STORY • MOVIE LIFE • MOVIE STARS PARADE • MOVIELAN

The chart on the left tells better than words just how sensational business is with screen magazines. Hovering close to our war time peak, screen magazines are outselling last year's issues by substantial margins.

In the face of trailing grosses at theatre box offices, this is *proof positive* of the fact that screen magazines reach the "dyed-in-the-wool" movie fans who go to the movies *good times* and *bad.*

It makes sense that when box office trails off 15 to 20%, it is the "occasional" goer who stops going. But there never *has* been a time, and there never *will* be a time when the "gen-u-wine" article, the "dyed-in-the-wool" movie fan, will give up her seat on the aisle.

The bulk of the young movie-goers (under 35) go to the movies at least once a week,* while only 15% of the armchair battalion (movie-goers over 35) go once a week.

MORAL: Why spend *big* dough in the non-movie magazines, trying to trap the elusive "in-and-outer", when for *little* dough you can reach up to 20 million *"dyed-in-the-wool"* fans every month in the screen magazines . . . at ⅓ the rate?

ASSOCIATION OF
SCREEN MAGAZINE
PUBLISHERS





FLASH!

Report No. 2, from the Association of Screen Magazine Publishers to the motion picture industry, "There's No Business Like Show Business," is now ready. Contact Hal Dawson, President, at 261 Fifth Avenue for a presentation. Be among the first in the industry to see this exciting new information.

TOPLAY • SCREEN GUIDE • SCREENLAND • SCREEN STORIES • SILVER SCREEN

Trust Cases to Top Allied Meet Agenda

WASHINGTON, Nov. 14.—Sales policies and practices of film distributors and the government proceedings in the Paramount, Schine and Griffith anti-trust suits will top the agenda of the Allied States convention in New Orleans at the end of this month, according to Abram F. Myers, general counsel and board chairman.

The convention will also have placed before it the plan proposed by Joseph Finneran, Indiana exhibitor, on disciplining stars who cause scandals in the film industry, Myers added.

The forthcoming convention will mark the 20th anniversary of Allied. All past presidents will receive testimonials at the annual banquet. Distributed at the convention will be a history of the organization.

House Business Group Starts Probe in Washington Today

WASHINGTON, Nov. 14.—Abram Myers will not appear before the House Small Business Committee, which opens hearings here tomorrow, until later this week since he will be in New York in the early part of the week. Meanwhile, Wendell Berge and Thurman Arnold, both former assistant attorneys general in charge of the anti-trust division, and Joseph Borkin, former economist for the division, are slated to appear before the committee tomorrow and Tuesday. All three men played important parts in various motion picture anti-trust suits.

Meanwhile, Rep. Wright Patman, Texas Democrat, announced that the House committee would be continued next year and would extend all investigations already begun. Patman is to become chairman next year.

TOA Conciliation

(*Continued from page* 1)

more than one theatre on the licensing of pictures, forcing of features and shorts, the failure of salesmen adequately to solicit customers.

A TOA spokesman explained on Friday that there is no broad application of the 60-day period in the sense that all field conciliation committees will begin their work together and end it together. As soon as an individual unit sets up its conciliation machinery and puts it into motion the unit's 60-day experiment will begin.

It is left to the discretion and judgment of each unit to determine the mechanics of the system, but Lockwood urges that the previously-announced TOA steps be followed. These relate to the constitution of individual committees, appeals to TOA headquarters should field negotiations break down, etc.

It is suggested to the locals by Lockwood that, in setting up the conciliation committee, a person other than a member of the committee be designated as secretary.

$39,985 Was Spent by TOA on Youth Month

Theatre Owners of America spent approximatcly $39,985 to implement the September "Youth Month" drive, according to a report to TOA directors made by Charles P. Skouras, chairman of National Youth Month. TOA had budgeted its "Youth Month" program at $40,000, which, Skouras explains in the report, "represents only a small portion of all theatres actual investment in 'Youth Month.'" Many individual owners, Skouras pointed out, spent large sums on their own to support the activity.

U.A. Drops 18 from N.Y. Publicity Staff

An economy measure was effected by United Artists on Friday with the dismissal of 13 senior staff and five secretarial staff members of the home office advertising, publicity and art departments.

Released were: Caswell Adams, Rosellen Callahan, Lew Barasch, Philip Cowan and Joseph Rose, all publicity; Lou Melamed and Vera Gomez, radio publicity; Barbara Saplinsley, press books; John Mattson, advertising production, and Alan Jaediker, Harry Suskind, Simon Wolf and Stanley Namm, all of the art department.

Severance compensation was given to all those dismissed including members of the Screen Publicists Guild whose contract with the company has not been renewed. Based on the number of years employed, the dismissal considerations ranged from four to the equivalent of 24 weeks' pay.

Field employes dismissed were Phil Engel, Boston; E. C. Pearson, Minneapolis, and Dave Polland, Philadelphia, all in exploitation.

Indications are that if the deal by which U. A. takes over sales and distribution for Selznick Releasing Organization is approved, the diminished U. A. advertising-publicity staff will be augmented by SRO's ad-publicity staff in the East under Robert Gillham, and in the West under Paul MacNamara. The U. A.-SRO deal provides for merging of the personnel of the two companies.

West Va. Managers Favor Conciliation

CINCINNATI, Nov. 14.—Details of the Andy W. Smith, Jr.-Ben Berger conciliation plan were outlined by Sam Shain, 20th Century-Fox exhibitor relations director, at the annual meeting of West Virginia Theatre Managers Association, which convened here at the weekend. Bert M. Stearn of Cooperative Theatres backed up Shain's plea for adoption of the plan, and round table discussion indicated a general consensus favoring it.

Among those who addressed a closed executive session yesterday were: William Ainsworth, Allied States president; Trueman Rembusch, Allied treasurer and head of the Indiana Allied; Arthur Greenblatt, Screen Guild; Charles Niles and P. J. Wood, secretary of the Ohio Independent Theatre Owners.

U.A. Board Defers

(*Continued from page* 1)

Mary Pickford and Charles Chaplin conclude consultations with their respective principals and after terms of the proposed pact are scrutinized from legal angles. It is understood that some minor objections have been raised by the Chaplin interests although these are said not to be serious enough to kill the deal.

The plan in broad outline calls for Selznick's use of UA's distribution facilities and actual distribution of SRO product by UA among lesser situations for a two-year period. Selznick's sales force will continue in operation, concentrating on the larger accounts, but consolidated within U. A.

Ascap Decree

(*Continued from page* 1)

next petition the Circuit Court for stay when it serves notice of appea If granted, Judge Leibell's decisio will be inoperative, at least until fin adjudication of the case.

The plaintiff exhibitors, all mem bers of the Independent Theatre Own ers Association, of New York, als will take an appeal in an attempt t recover fees paid to Ascap, whic Judge Leibell denied them.

Ascap had asked Judge [illegible]ll fo a stay of his decree on the ground that it would create confusion withi the industry if it were to go into ef fect at this time and then be reverse by the higher court later. The plain tiffs countered this in a letter to th court on Friday which charged tha greater confusion would be the resul if Judge Leibell approved the stay.

Court Judge of 'Legality'

The decree clearly restrains Asca from collecting music performanc fees from exhibitors as long as the So ciety "remains illegal." The cour said that it will decide when the or ganization ceases to be illegal an offered no explanation beyond that.

The same restraint was placed o members of Ascap as individuals, tha is, enjoining them from enforcing an public performance rights other tha by the prescribed method of licensing these rights along with the synchronization privileges to the film producers, both at the same time, and outside the framework of Ascap. And in their dealings with the producers, the composers are restrained from conditioning the sale of one license upon the sale of the other.

The decree directs that the composers are not permitted to license synchronization rights to producers in any manner which would require the exhibitor to obtain the public performance license.

Plaintiff Attorneys' Decree

Judge Leibell's decree actually is the one proposed by plaintiff attorneys Weisman, Celler, Quinn, Allan and Spett. However, he deleted two injunctions which would have specifically barred Ascap or its members, or members who resign, from collecting from either producers or exhibitors for public performance rights on films for which only the synchronization rights have been licensed. This meant all films ever produced in the past and now in the process of production.

The effect of these deletions, however, is nil, according to plaintiff attorneys who said on Friday that this point was covered by Judge Leibell in his Oct. 27 opinion when he said that neither Ascap nor its members ever could realize any subsequent benefits from a method of business held contrary to the Sherman Anti-Trust Act.

In his opinion, the jurist made known that he would allow plaintiffs to add any new injunctions to his decree to cover any inequities not intended. For that reason the New York court is retaining jurisdiction over the operation of the decree.

M·G·M TRADE SHOW
New York • New Jersey Territories Only
★
"THE KISSING BANDIT"
★
NOVEMBER 22
Monday, 10:30 A.M.
M-G-M SCREEN ROOM
630 NINTH AVENUE, N. Y. C.

From Newark—MIAMI $50
FLY OVERNITE TO Coast to Coast
COAST TO COAST $88 PLUS TAX
SKYCRUISES, INC. DC-4 • 12 HOURS
Air Travel Agency
HOTEL DIPLOMAT 108 W. 43rd St. New York City BRyant 9-3707
HOTEL BRISTOL 423 W. 8th St. Los Angeles Trinity 8662

Future Talks Set on Wilcox-U. S. Deal

Herbert Wilcox will hold future talks, either in London on New York, regarding a joint production-distribution deal with American film interests, the British producer disclosed here at the weekend prior to his return to London via Halifax. While here Wilcox discussed the plan "with two or three producers," including Walter Wanger.

Wilcox reiterated that "the ground covered in talks here was purely exploratory" and that no pact was finalized.

Returning to England with Wilcox are his wife, Anna Neagle, and Sir Arthur Jarratt, managing director of British Lion.

U. K. Film Crisis

(*Continued from page* 1)

ment is anxious to do everything possible to improve production methods here, Wilson asserted that the difficulties at many studios and their low volume of production are due to the fact the upsurge in American production here expected under the agreement signed last March failed to materialize.

Wilson also said the report by his committee on the desirability of establishing government-owned studios would be published soon.

He also contended that there is a gross misunderstanding in America of what the British government is attempting to do in the film industry. "I am not sure whether it is not a wilfull misunderstanding," he said.

In reply to a criticism by O'Brien on the "fantastic sums" paid not only to stars but also to management, Wilson declared that high costs are not only a question of high salaries and extravagance which, he said, is a contagion caught from Hollywood, but also a question of proper production planning.

O'Brien called upon Wilson to make clear to the American industry that the government is determined to enforce the 45 per cent quota. Continuing in the vein of other criticisms voiced in Commons, O'Brien said the lack of confidence in the existing industry indicated by the public must be squarely faced by the government.

Anglo-US Parley

(*Continued from page* 1)

ing, Johnston having originally announced a meeting for last November, then for last January, and now March. Johnston's previous meeting date announcements were made without consulting with the British members of the committee.

The agenda for the meeting is to be approved in advance by the participants who, in addition to Rank and Johnston, include Sir Alexander Korda and Sir Henry French, representing the British Producers and Nicholas Schenck and Barney Balaban, also representing the MPAA.

While these meetings likewise will embrace a wide range of topics, principal problems are expected to be the British 45 per cent quota, the refusal of U. S. distributors to sell their product in England for mixed programs of U.K.-U.S. features, the British dollar situation, "and whatever mutual problems exist in March."

The joint committee was set up nearly two years ago.

1-Year Video Test

(*Continued from page* 1)

consideration on the Cabinet level. Nevertheless, a J. Arthur Rank spokesman, commenting on the agreement, claimed that the new arrangement would enable Rank to take his full-screen television experiments forward.

The meeting adjourned for a month, during which time rental terms and other arrangements will be worked out. In view of Rank's headstart in connection with large screen television and also the Associated British Pictures Corp.'s recently announced television plans, film representatives insisted that final arrangements should permit all West End theatres equal facilities for wiring and equipment.

Although conceding television's inevitability and also recognizing in the future a likely close association of television and the theatre, American distributors here find it difficult now to support the agreement as it is understood that the major companies in America will refuse cooperation. Certain Americans are making interim objections, such as expressed uncertainty as to whether they own the television rights to their films. Also they are concerned that British companies, including Rank's, may seize advantages through facilities already arranged.

The trade's general view is that the one year experimental period would enable both distributors and exhibitors to ascertain whether their receipts would be affected, in which case they would take what steps are necessary to protect their interests.

MPAA Meet

(*Continued from page* 1)

man, who explained the sessions will point more to a broad change of views rather than to definitive action at this time.

Three separate sessions will be held, the first one, tomorrow, to be held in the board room of 20th Century-Fox's home office, starting at 10 A.M., the second, on Wednesday, in the Warner board room, and the concluding one on Thursday in the Paramount board room. Eric Johnston, MPAA president, will preside at all of the meetings.

Instead of a meeting of numerous company home office executives as at first expected, the discussions will be held only by company presidents or their alternates on the board.

Mayer Will Head the MPAA In Europe Starting Jan. 1

Gerald Mayer, director of the international division of the Motion Picture Association of America, will, it is understood, replace Frank McCarthy as manager of the MPAA Paris office on Jan. 1.

McCarthy, who will leave to become an executive assistant to 20th Century-Fox production chief Darryl Zanuck, in Hollywood, is expected to return to the U. S. around Jan. 1.

May Name Successor To Aaron This Week

William F. Rodgers, M-G-M distribution vice-president, said at the weekend that he expects to name this week a successor to Edwin W. Aaron who resigned as assistant general sales manager, effective last Friday.

Aaron, who said he resigned to be free to negotiate offers elsewhere, expects to announce a new affiliation within the next two weeks. He was with M-G-M for more than 30 years.

Fred Niblo Dies in New Orleans at 74

NEW ORLEANS, Nov. 14.—Fred Niblo, 74, pioneer film director and co-founder of the Academy of Motion Picture Arts and Sciences, died here last Thursday at Touro Infirmary of pneumonia. He had been a patient at the infirmary since Oct. 22.

Niblo, whose son, Fred, Jr., is currently engaged in writing Will H. Hays' biography, directed some of the most outstanding Hollywood films during the silent-film era, including "Blood and Sand," "Ben Hur" and "The Three Musketeers." He returned from retirement in recent years to play a role with Ginger Rogers and Cary Grant in "Once Upon a Honeymoon."

Survivors include the widow, the former Enid Bennett of Australia.

Lancaster, Detroit Showman, Dies at 66

DETROIT, Nov. 14.—Services for Joseph F. Lancaster, pioneer theatre owner here, were held Friday.

Lancaster opened the Grandy Theatre in Detroit in 1906 and owned and managed other theatres until his retirement two years ago. He was stricken last Monday while driving his car. He was 66. Surviving are the widow, Melba; four daughters, two sisters and a brother.

Video Formula

(*Continued from page* 1)

be the *New York Daily News* station WPIX.

With sanction of the National Labor Relations Board, the agreement has been entered into by the International Brotherhood of Electrical Workers, the National Association of Broadcast Engineers and Technicians and the International Alliance of Theatrical Stage Employes and Moving Picture Machine Operators, along with six of the latter's New York locals. It provides separate bargaining units for television engineers, film projectionists, film cameramen, film editors, film laboratory technicians, film sound engineers and stage employes.

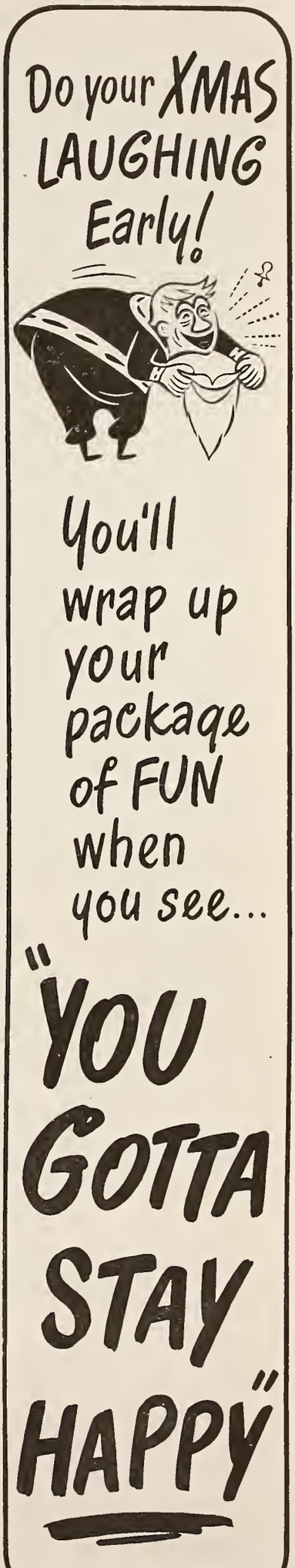
The agreement was reached at the weekend following a five-day NLRB hearing on an IBEW petition which would have lumped all seven categories together in one unit under its jurisdiction.

Several from N. Y. To Smakwitz Dinner

ALBANY, N. Y., Nov. 14.—Among those who have made reservations for the testimonial dinner to be given tomorrow night at the Variety Club here to Charles Smakwitz, Warner Theatres zone manager, are: Harry Kalmine, Joseph Bernhard, Bernard Kranze, Si Fabian, Sam Rosen Hugh Owen, Jules Lapidus, Edward Schnitzer, Jack Ellis, Fred Meyers, Dave Miller, Milton Cohen, Louis W. Schine, Mike Kallet, William Smalley, and 250 others.

UK Award to Lawrence

WASHINGTON, Nov. 14.—Jock Lawrence, top J. Arthur Rank official in the U. S., received the Order of the British Empire on Friday at a ceremony of the British Embassy here. The award was for his work with the British Commandos and the American Rangers during the war.




NATIONAL Screen SERVICE
PRIZE BABY OF THE INDUSTRY
KEEP POSTING!

FILE COPY
DO NOT REMOVE

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 13 NO. 95 NEW YORK, U. S. A., TUESDAY, NOVEMBER 16, 1948 TEN CENTS

UA-SRO Deal For Economy Only: Selznick

Costs 50% to Sell Some Theatres, He Says

HOLLYWOOD, Nov. 15.—David O. Selznick, on his return here from New York at the weekend, said that current negotiations between Selznick Releasing Organization and United Artists have been concerned solely with methods of reducing distribution costs in the area representing the last 10 to 25 per cent of the gross.

Selznick said that the cost of selling many theatres in that area is "upward of 50 per cent of the total film rental achieved." Methods of reducing such costs, explored in the negotiations with United Artists, he said, are "a partial merger of domestic sales personnel and facilities, further limited to those facilities and that personnel heretofore considered necessary to

(*Continued on page 7*)

SOPEG's Non-'Red' Oath is Due Today

Leonard Boudin, attorney for United Office and Professional Workers of America, yesterday informed the National Labor Relations Board here that Screen Office and Professional Employes Guild, CIO-UOPWA affiliate, will comply with the non-Communist affidavit provisions of the Taft-Hartley Law today. Last week SOPEG disclosed that it intended to comply.

The occasion of Boudin's announcement was a crowded NLRB hearing

(*Continued on page 7*)

$175,000 Pay Hike For WB 'Collarites'

Pay increases totaling $175,000 for one year will become effective on Thursday for Warner's 619 home office "white collarites," a spokesman for IATSE Motion Picture Home Office Employes Local No. H-63 disclosed here yesterday.

The 10 per cent wage increase won recently in negotiations will be retroactive to last June 1, and retroactive pay totaling approximately $75,000 will be paid on Thursday.

Eastman and Government In Consent Settlement

Justice Department officials and Eastman Kodak have reached agreement on terms of a consent judgment in the government's anti-trust suit against Eastman and Technicolor, it is understood.

The government's suit charges restraint of trade in the color film field.

Terms of the settlement are believed to include an agreement by Eastman to make its color film patents freely available. The decree will probably be filed in Los Angeles late this week or early next. The Department of Justice's case against Technicolor is expected to go to trial, with a pre-trial conference set for next Monday.

Justice Department officials in Washington would not comment on the report. On another front, however, they indicated that they were very much dissatisfied with "stalling" on the part of defendants in the Scophony anti-trust suit.

Denham Workers Vote to Return

LONDON, Nov. 15.—Despite evidences of strong indignation, workers at the Denham studio, who have been protesting dismissal of 92 supposedly surplus employes, have decided to resume work. In effect, their decision means they will accept the settlement proposed by J. Arthur Rank in which he said he would withdraw completely 19 of the dismissal notices, suspend four others pending inquiry, and absorb 14 of the remaining 69 in his Pinewood studio.

Meanwhile, Tom O'Brien, general secretary of the National Association of Theatrical and Kine Employes, disclosed he is planning to take the matter up at the next meeting of the national joint production council.

Rogers Heads W.Va. Managers Group

CINCINNATI, O., Nov. 15.—Wendell R. Holt of Richmond, retiring president, has been elected chairman of the board of the West Virginia Theatre Managers' Association, and L. E. Rogers was named president, Fred Helwig, vice-president, and Rube Shore renamed secretary-treasurer.

New directors are: E. R. Custer, John Goodenough, David Schulz, P. M. Thomas; directors reelected were Frank Mandrae, Ross Fiason, E. L. Keesing and Louis Shore. Alternate directors are Roy Letsinger and Charles Cassinelli.

NY Claims Half Million Tax On Equipment

Hundreds of New York Metropolitan theatre owners and representatives of affiliated circuits will gather at the Hotel Astor here this morning to start a campaign of protest against the threatening application of a dormant city sales tax on theatre equipment which, owners estimate, would cost exhibitors here as much as $500,000 in a lump sum.

Application of the tax, which

(*Continued on page 7*)

SAG to Fight for Video Restrictions

HOLLYWOOD, Nov. 15. — Screen Actors Guild president Ronald Reagan told a membership meeting here last night that the Guild will take all possible steps to prevent the unrestricted use of films made especially for television, asserting that such reuse, unless regulated by equitable collective bargaining contracts, could reduce actor employment in the same way that music-recording reduced work for musicians.

Reagan also said he expected repeal of the Taft-Hartley Law would mean an end to prevailing conditions under which "a large number of newcomers are brought to Hollywood by producers who are taking advantage of certain T-H provisions to act in pictures here without joining the SAG."

A treasury report showed a surplus of $585,952 for SAG.

Canadian 'Ascap', Exhibitors in Pact

TORONTO, Nov. 15.—Canada's organized exhibitors have reached a tentative agreement, effective for three years, with the Composers, Authors and Publishers Association of Canada on a copyright appeal board.

New annual scale embodies an increase of five to 20 cents per seat for theatres with a capacity of 1,600 or more, from 12 to 15 cents for 800 to 1,600 capacity, and lesser increases for small theatres.

20th-Fox to Offer Decree Plan to U. S.

Three Others Consider Separate Settlements

Twentieth Century-Fox has in its final stage of development an extensive theatre divestiture program which it will propose to the Department of Justice as the basis of a separate settlement in the industry anti-trust action, it became known here yesterday.

Additionally, there are strong indications that the three other theatre-owning defendants are giving serious consideration to new divestiture proposals on which to base individual consent decrees. However, in no case are companies said to be thinking in terms of corporate reorganization such as the RKO plan entails.

A spokesman for 20th-Fox confirmed yesterday that the company is formulating proposals for settlement but added that the plan is "not yet

(*Continued on page 7*)

Republic 10th to Enter MPEA Fold

Republic Pictures International has joined the Motion Picture Export Association, it was announced by Eric Johnston, president of the MPEA and the Motion Picture Association of America.

Republic's application for membership, which climaxed several months of conferences between MPEA and Republic officials, has been unanimously approved by MPEA's board of directors, with the effective date retro-

(*Continued on page 7*)

Company Presidents Begin Confabs Today

Film company presidents or their alternates on the board of the Motion Picture Association of America will begin three days of meetings on industry problems today at the 20th Century-Fox home office with Eric A. Johnston, MPAA president, to preside. Tomorrow's session will be at the Warner home office and Thursday's at Paramount.

Personal Mention

EDWARD M. SAUNDERS, M-G-M assistant general sales manager, returned to his office here yesterday following an operation.

•

SAM SHAIN, 20th Century-Fox exhibitor relations director, will return to New York today from Pittsburgh and Cincinnati.

•

AL ZIMBALIST, Film Classics Advertising-publicity director, will leave here today for Dallas, San Antonio and Houston.

•

HARRY S. THOMAS, Equity Pictures president, left the Coast yesterday for New York for conferences with Eagle-Lion executives.

•

A. PAM BLUMENTHAL, Cinecolor board chairman, has left Hollywood by plane for a board meeting in New York.

•

ABRAM F. MYERS, Allied States board chairman, is due here today from Washington.

•

HERMAN LEVY, Theatre Owners of America general counsel, is due here tomorrow from Hartford.

•

WILLIAM DOZIER, Universal-International production executive, is due here today from the Coast.

•

WILLIAM HEBERT, director of studio publicity for Samuel Goldwyn Productions, is here from Hollywood.

•

GEORGE R. GIROUX, Technicolor field representative, is here from the Coast.

•

ARTHUR KRIM, Eagle-Lion president, has left here for the Coast.

•

ARTHUR LOEW has returned to New York from the Coast.

Einfeld Here on Deal

Charles Einfeld arrived here yesterday from the Coast to discuss with Spyros P. Skouras, 20th-Fox president, a deal whereby he would become the company's director of advertising-publicity, exploitation and radio. Charles Schlaifer's resignation from the post will become effective on Feb. 1.

Stage 'Night of Stars'

Carrying the endorsement of Thomas E. Dewey, Herbert H. Lehman, William O'Dwyer, Grover A. Whalen and Stephen S. Wise, the 15th annual "Night of Stars," United Jewish Appeal benefit show, was held here last night at Madison Square Garden.

NCCJ Unit To Meet

Executive committee of the amusements division of the National Conference of Christians and Jews will hold a luncheon-meeting at the Waldorf-Astoria Hotel here next Tuesday instead of today, as previously reported.

House Unit To Hear Industry Figures

WASHINGTON, Nov. 15.—The House Small Business Committee, which opened week-long "wrap-up" hearings here today, has scheduled for appearance at the end of the week Abram F. Myers, general counsel of Allied States Association; Wendell Berge and Thurman Arnold, former assistant attorney generals; Joseph Borkin, economic adviser to J. Arthur Rank, and Robert Young, majority stockholder in Pathe Industries. Theatre Owners of America representatives also have been invited to appear.

Although the committee expires at the end of the current Congress, it is expected to be retained by the 81st Congress under the chairmanship of Rep. Wright Patman. A committee spokesman stated that the giving up of the projected New Orleans hearings does not mean the unit has lost interest in the film industry. He asserted that further hearings away from Washington were called off because of the pressure of time, since the unit wants to file its report by the end of December. Among the junkets called off was a possible trip to the Coast to take testimony from the Society of Independent Motion Picture Producers.

Court Upholds Seattle Censor's 'Rope' Ban

SEATTLE, Nov. 15.—State Superior Court Judge James T. Lawler today upheld the Seattle Censor Board's ban on the further showing of Warner's "Rope." In his decision, Judge Lawler held that the film violates the city ordinance which forbids presentation of "scenes of violence tending to corrupt morals."

During the show cause hearing, Judge Lawler went to a private showing of the film, but said that he based his decision on testimony on the case and his construction of the city ordinance.

Sues E-L for $85,000

Charles Trenet has filed suit in New York Supreme Court against Eagle-Lion charging violation of a production arrangement. He is seeking $85,000 damages, which he said he was guaranteed under a two-picture deal and which the company is alleged to have declined to pay on the ground that Trenet did not fulfill certain obligations.

U-I, Durbin Settle

HOLLYWOOD, Nov. 15.—Universal-International has reached an out-of-court settlement of its $87,083 suit against Deanna Durbin for money advanced to her and a revision of her contract in which the number of pictures she will make for the studio is reduced to three from five. Her next picture will be produced in Italy by U-I jointly with Scalera Films.

Thomas Pleads Innocent

WASHINGTON, Nov. 15.—House Un-American Activities Committee Chairman J. Parnell Thomas pleaded innocent today when arraigned on charges of padding his House of Representatives office payroll. U. S. District Court Judge Richmond B. Keech tentatively set trial for Jan. 10.

Ricca Arrest Warrant Legality Is Impugned

CHICAGO, Nov. 15.—An order has been entered here by Federal Judge Michael J. Igoe overruling a demurrer filed by U. S. Attorney Otto Kerner, Jr., which claims that the warrant issued for the arrest of Paul Ricca by the parole board was illegal. Ricca and three associates were paroled in 1947 after serving a partial term for extorting $1,800,000 from film company heads.

The order of Judge Igoe gave him two choices of procedure against Ricca, Kerner said. Igoe demanded the parole board's reasons for seeking to revoke Ricca's parole and he may give them, Kerner said, or he may decide to appeal from any ruling the court might make if the reasons are not given.

1st Ruling Due Today In ITOA Conciliation

Decision is due today from the conciliation panel of the Independent Theatre Owners Association of New York on the solitary complaint which thus far has been weighed since the organization adopted the Andy W. Smith, Jr.-Benjamin Berger plan for settling exhibitor-distributor differences.

Complaint was filed by Leon Rosenblatt on behalf of the Rosenblatt-Welt circuit, and involves clearance, availability and run. The panel has referred the complaint to Seymour Florin, 20th Century-Fox's New York branch manager for adjustment. Another complaint filed simultaneously by Rosenblatt was disqualified by the panel.

25-Cent Warner Dividend

Board of directors of Warner Brothers Pictures has declared a dividend of 25 cents per share, payable Jan. 5, to holders of common stock of record at the close of business on Dec. 3. The dividend is at the same rate as the last quarter, but is half of the regular dividend of 50 cents per quarter.

Edward Erickson, 59

KANSAS CITY, Nov. 15.—Edward E. Erickson, 59, representative of A. V. Cauger Service, Inc., producers of advertising films, died last evening at his home here. Erickson had been in distribution in St. Louis and Kansas City territories with Republic, PRC and Monogram, and was for two years with the Dickinson Circuit. Burial will be at St. Louis.

Services for Fred Niblo

HOLLYWOOD, Nov. 15.—Services were held here this afternoon at Forest Lawn for Fred Niblo, 74, pioneer director, who died in New Orleans last Thursday.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
ROCKEFELLER CENTER
JOAN FONTAINE-JAMES STEWART
"YOU GOTTA STAY HAPPY"
EDDIE ALBERT
A WILLIAM DOZIER PRESENTATION
A UNIVERSAL-INTERNATIONAL PICTURE
SPECTACULAR STAGE PRESENTATION

DARRYL F. ZANUCK presents
OLIVIA de HAVILLAND
the Snake Pit
Directed by ANATOLE LITVAK · Produced by ANATOLE LITVAK & ROBERT BASSLER
20th CENTURY FOX
RIVOLI B'way & 49th Street

"SEALED VERDICT"
starring RAY MILLAND with FLORENCE MARLY
A Paramount Picture
in Person FRANKIE LAINE CONNIE HAINES DAVE BARRY THE CLARK BROTHERS Extra Added Attraction JERRY WALD and His Orchestra
PARAMOUNT TIMES SQUARE MIDNIGHT FEATURE NIGHTLY

SAMUEL GOLDWYN presents
DANNY KAYE
VIRGINIA MAYO
"A SONG IS BORN"
COLOR BY TECHNICOLOR
Broadway at 45th Street ASTOR Cont. from 8:45 A.M. Midnight Show

J. Arthur Rank presents
"THE RED SHOES"
Color by Technicolor
BIJOU THEATER, 45th Street West of Broadway
All Seats Reserved, Mail Orders
Twice Daily
Extra Matinees Saturday and Sunday
Late Show Saturday Evening 11:30
An EAGLE LION FILM Release

JOAN OF ARC starring INGRID BERGMAN
VICTORIA 8'WAY at 46th ST
COLOR BY TECHNICOLOR
CAST OF THOUSANDS

IDA LUPINO · CORNEL WILDE
CELESTE HOLM · RICHARD WIDMARK
ROAD HOUSE
20th CENTURY-FOX
DOORS OPEN 8:30 A.M.
BRANDT'S
MAYFAIR
7th Ave. & 47th St.

Robert Mitchum
Barbara Bel Geddes
Robert Preston
in
BLOOD ON THE MOON
GLOBE, B'way at 46th St.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.


Like Merry Christmas
and Happy New Year,
THEY BELONG TOGETHER
... And They
Belong on Your
Screen for
Christmas and
New Year!
Bob
HOPE
Jane
RUSSELL
The New Star Team That's
News, In The Picture
That Makes Hope History

BOB'S BIGGEST PRODUCTION of all time. —And it's his first picture in Technicolor for Paramount

IT'S GOT EVERYTHING—comedy, color, spectacle, Indian fights, covered wagons, breathless chases and saloon brawls.

THE YANKS ARE COMING—with Bob turning on the giggle gas as a correspondence school dentist.



Paramount's "The Palef



3-WAY DRAW. Imagine *Bob Hope* and *Jane Russell* in a big-scale *western*, and you've got 3 of the biggest boxoffice elements any picture could have today.

THE LAUGHS are headed this-a-way from The Dirty Shame Saloon, as Bob sings the country's best-selling smash hit song, **"BUTTONS AND BOWS."**

NO DOPE, THAT HOPE—he's off on the "Road" to Ruin with Russell, the most famous outlaw in the whole U. S. A.

ace"

Color by Technicolor

The Critics Let go with both barrels



"MORE SATISFYING THAN 'ROAD' SERIES. Looks like big money in the tills. Hope triumphant . . . with a real story. The gags are all fresh . . . the western backgrounds lavish." —*Showmen's Trade Review*



"RUSSELL AN EYEFUL IN TECHNICOLOR. Strong box-office contender . . . for the delight of any audience out for an evening of laughs. Hope takes it away for sock results." —*Daily Variety*

"SHOULD PLAY TO CAPACITY AUDIENCES wherever customers seek escape through unadulterated merriment. Hope was never funnier. Technicolor and lush mountings complete the happy combination." —*Boxoffice*

"HITS TOP OF THE LAUGH-METER. A very hearty boxoffice effect should be assured. Merriment kept on broad, earthy level punctuated by running drumfire of quips and gags." —*Motion Picture Daily*

"PEAK LAUGH SHOW FOR HOLIDAY TRADE. Click Hopean display for the delight of the customers. Peak click on the meter that registers laugh decibels."–*Film Daily*

"HOPE WHAMS HIS WAY THRU WITH SOCK RESULTS. A natural for fun. Russell a sharp eyeful in Technicolor. 'Buttons and Bows,' now familiar to radio and record listeners, is top of the score's three pop numbers." —*Variety*

"HOPE AT HIS BEST. 'The Paleface' is cleverly set up. The results are pat." —*Motion Picture Herald*

"JUST THE PACKAGE TO MAKE EXHIBITORS HAPPY and please customers. DeMillesque production. Hope's harum scarum adventures with Calamity Jane outdo all that was ever done for the west." —*The Independent*

"HOPE & RUSSELL SALEABLE MARQUEE COMBINATION. Hope runs the entire gamut of gags in giddy comedy geared for boxoffice pay-off." — *Hollywood Reporter*



"The Paleface"

Color by Technicolor

Starring

BOB HOPE

JANE RUSSELL

Produced by ROBERT L. WELCH · Directed by NORMAN Z. McLEOD

Original Screenplay by Edmund Hartmann and Frank Tashlin

Additional Dialogue by Jack Rose

And Right After That Comes

Paramount's GOLD RUSH OF '49

PRINTED IN U.S.A.

Bridges Questions Tax on Benny Deal

WASHINGTON, Nov. 15.—Bureau of Internal Revenue was called upon to explain its approval of the Amos 'n' Andy and Jack Benny "business" purchases by CBS and NBC, Styles Bridges (R., N. H.), chairman of the Senate Appropriations Committee, charging that the deals—highlighting a war for top talent between the webs—were tax dodges and asked for an explanation.

The best belief here is that Internal Revenue would not approve future deals and might even object to the Benny deal, which also involves motion picture production by Benny's Amusement Enterprises.

Republic to MPEA

(*Continued from page* 1)

active to Nov. 1, 1948. Republic thus becomes MPEA's 10th member company and the second additional national distributor to join the export organization since it was chartered early in 1946 by the eight original sponsoring companies. Allied Artists joined the MPEA in Aug., 1947.

An initial group of Republic pictures is now being readied for inclusion in the distribution programs of a number of countries within the MPEA orbit, including the USSR under the pact Johnston recently made with that nation.

UA-SRO Deal

(*Continued from page* 1)

reach" the final percentage of gross.

Selznick said negotiations have not included any discussion of a corporate merger of SRO and UA and have not involved the top selling area of 75 to 90 per cent of the distribution gross. He also said that SRO's foreign organization will be unaffected by a deal, if concluded.

"There are many points to be straightened out on both sides before any deal can be concluded," he said. "As of today, I would not wish to hazard any guess as to the likelihood of its being finalized."

The UA board is scheduled to meet at the end of the week to act on the proposal.



FARES REDUCED

on dependable

TWA CONSTELLATIONS

Now enjoy the finest in air travel

at no extra fare!

The only Coast-to-Coast Constellations

TWA

TRANS WORLD AIRLINE

U.S.A. • EUROPE • AFRICA • ASIA

20th-Fox Decree

(*Continued from page* 1)

down to the point" where negotiations with the Justice Department would be in order. It is expected that the company will present its plan to Attorney General Tom Clark shortly after he returns to Washington from his stay in Florida with President Truman.

Other sources indicate that 20th-Fox has in mind the divestiture of its interests in about 400 partially-owned theatres, thus whittling down its wholly-owned subsidiary, National Theatres, to approximately 225 houses. The company is said to feel that the program would remove it from any suggestion of monopoly in exhibition, with all closed-town situations eliminated.

20th Resumes Talks Today

Discussions of the divestiture by 20th-Fox officials, which were begun here last week, will be resumed today. Participants include Spyros P. Skouras, president; Charles Skouras, president of National Theatres; Dan Michalove, circuit executive, Harry Cox, National treasurer; Otto Keogel, general counsel, and W. C. Michel, treasurer.

The moves for separate consent decrees by all four companies are expected largely as a result of the statement by Judge Augustus N. Hand in Federal court here last week that total divorcement was not called for and that partial divestiture appears a more likely remedy.

The general reaction was that the government and the companies have a clearer view of what they might anticipate if the case is litigated fully and both sides consequently would be more liberal in concessions made to effect a settlement.

Also at the hearing, Judge Hand suggested that both sides attempt to reach an agreement on dissolutions of theatre partnerships, as well as on what divestiture may be accomplished by stipulation.

Prepare Affidavits, New Exhibits

Paramount and 20th-Fox are engaged in preparing affidavits which they intend to offer as testimony and Loew's and Warners are understood preparing new exhibits, all, of course, in the event that settlements are not effected.

It is said that each of the companies has "problems" peculiar to itself and for that reason a single consent decree for all would not be possible.

It is doubtful that the Justice Department could be approached by the companies this week. Clark will be in Washington only for a few hours on Thursday and Herbert Bergson, head of the anti-trust division, also out of town, is not expected back at his office until next Monday.



Walsh, Raoul to AFL Parley in Cincinnati

Richard F. Walsh, IATSE international president, has left here for Cincinnati to attend the American Federation of Labor convention which opened there yesterday. He was accompanied by William P. Raoul, "IA" general secretary-treasurer, and Thomas V. Green, secretary of the "IA" 14th New Jersey district.

The trio will be joined in Cincinnati by James McNab, business agent of "IA" Local No. 154, Seattle. Hugh J. Sedgwick, secretary of the 11th district, in Canada, will also attend and address the convention.

SOPEG's Oath

(*Continued from page* 1)

on IATSE Motion Picture Home Office Employes Local No. H-63's petitions for bargaining rights at the Paramount, RKO Radio and DeLuxe Laboratories home offices here. Executives, attorneys and personnel chiefs from the three companies; officers, organizers and lawyers from the opposing unions, and scores of employes jammed the office of NLRB examiner Julian Hoffman to participate in the proceedings. H-63 claims to have won the three shops of "white collarites" away from SOPEG.

Boudin's statement qualified SOPEG as a hearing participant; non-complying unions are denied access to NLRB services, but Hoffman accepted SOPEG in light of Boudin's assurances.

Yesterday's hearing was adjourned until next Monday at which time, Boudin stated, SOPEG will state its position regarding the holding of elections at the three shops. H-63 attorney Harold Spivak and the companies' lawyers agreed promptly when Hoffman suggested an election, but Boudin sought time to consider.

The companies have refused to "do business" with non-complying unions.

NLRB Denies Motion to Split DuMont Employes

The National Labor Relations Board has unanimously dismissed a petition filed by New York Local No. 1212, International Brotherhood of Electrical Workers, seeking to have the collective bargaining unit covering the DuMont television stations, WABD in New York and WTTG in Washington, broken up into a separate unit for each city. DuMont workers are under the jurisdiction of the International Alliance of Theatrical Stage Employes, which opposed the division.

Tax on Equipment

(*Continued from page* 1)

amounts to two per cent, would be on theatre equipment when a theatre's lease changes hands. The intention of the city, it is understood, is to compel immediate payment by theatre lessees who closed such transactions during the past eight years, the time the dormant law has been on the statute books. Whenever theatres changed hands through outright sale during that time, the city collected the sales tax upon the consummation of such transactions. Equipment involved under sales and threatening lease taxes includes projectors, screens, seats, stage accessories, etc.

The owners charge that the city intends to apply the lease provisions as a matter of "expediency," and maintain that it was not the intention of the law's authors to levy taxes on such transactions.

Cooper Is Named Cleveland Manager

CLEVELAND, Nov. 15.—William Levy, temporary manager of the local United Artists exchange, is going back to the foreign field in which he had been active for 18 years. Sidney Cooper, UA salesman in Detroit, has been promoted to succeed Levy here.

Talent for Pioneers

The ninth annual dinner of the Motion Picture Pioneers at the Waldorf-Astoria tomorrow evening will feature comedians Milton Berle, Joe E. Lewis, Abe Burrows, Willie Howard and Peter Lind Hayes. Pioneers president Jack Cohn also announces that Leon Leonidoff will stage the proceedings which will include an appearance of Radio City Music Hall talent.



UNITED

Flight Facts



A famous writer was talking to me aboard "the Hollywood," United's super-special DC-6 Mainliner 300 onestop flight from New York to Los Angeles.



"It'll make great background material for something I'd like to write," he said. "There's an atmosphere of luxury and congeniality in the plane itself; and the passengers, with their varied backgrounds and their cosmopolitan viewpoints, are always intensely stimulating."



I didn't remind him, but we leave New York at 12 noon, and we get to Los Angeles at 8:45 p.m. At that speed, a story would have to be a short short!



But if you want a perfect background for your cross-country travels, with delicious meals, luxury services, stroll-about spaciousness and pressurized-cabin comfort at smooth, high altitudes—I'll see you aboard "the Hollywood."

Peggy M. Stangeby

United Air Lines Stewardess on

"the Hollywood"

HEDY'S A DREAM!



BOB'S GOT THAT GLEAM!

"Smartly produced comedy that has the stuff to make audiences laugh." — *Film Daily*

"A merry romp . . . what the ticket-buying public wants." — *Motion Picture Daily*

"Madcap comedy romance." — *Variety*

"Enough action, laughs and eye-filling interiors to please all audiences." — *Motion Picture Herald*

"Certain to win hilarious approval" — *Showmen's Trade Review*

"Lamarr is a knockout!" — *Daily Variety*

WHEN THEY GET TOGETHER...
OH WHAT A TEAM!

HEDY LAMARR

ROBERT CUMMINGS

"Let's Live a Little"

An Eagle Lion Films Release

Another hit for the BILL HEINEMAN DRIVE!

with **ANNA STEN** Robert Shayne • Mary Treen • Harry Antrim • Norma Varden

Produced by EUGENE FRENKE and ROBERT CUMMINGS • Directed by RICHARD WALLACE • Associate Producer Joe Gottesman

Screenplay by Howard Irving Young, Edmund Hartmann, Albert J. Cohen and Jack Harvey • Original Story by Albert J. Cohen and Jack Harvey

A United California Productions, Inc. Picture

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 24 NO. 96 NEW YORK, U.S.A., WEDNESDAY, NOVEMBER 17, 1948 TEN CENTS

FILE COPY DO NOT REMOVE

Ascap Loses Bid for 2-Wk. Decree Stay

Will Seek a Permanent Stay on November 29

U. S. Circuit Court of Appeals Judge Augustus N. Hand yesterday denied to the American Society of Composers, Authors and Publishers an interim stay of Federal Judge Vincent Leibell's U. S. District Court decree against Ascap issued last Friday. Ascap sought to stay Judge Leibell's judgment until Nov. 29 when a petition for a permanent stay will be made to the full three-judge Circuit Court of Appeals.

In denying the interim stay, Judge Hand said if it were granted it would "create chaos in the industry." He specified, however, that the denial should not prejudice Ascap's right to appeal in the Minneapolis case, after Ascap attorneys argued it might have that effect.

The Leibell decree restrains Ascap from collecting music performing fees

(*Continued on page 4*)

US May Offer New Griffith Evidence

WASHINGTON, Nov. 16.—The Justice Department will attempt to introduce new evidence when the Griffith anti-trust case resumes in Oklahoma City on Nov. 30.

Department spokesmen said that rather than presenting proposed findings—as in the Paramount and Schine cases—the government would ask Judge Vaught for a chance to call witnesses and present further evidence showing the effects of what it de-

(*Continued on page 6*)

Extras Vote Down Producers' Terms

HOLLYWOOD, Nov. 16.—Membership of the Screen Extras Guild voted 2,512 to 67 in a mail referendum to reject the contract offered by producers, according to H. O'Neil Shanks, executive secretary. SEG board had unanimously recommended rejection of the terms, which it claimed, had the effect of forcing extras to accept the $9.45 daily rate for mob scenes in order to make themselves eligible for unemployment insurance benefits.

Einfeld and 20th in Verbal Agreement

An agreement has been reached and papers have been drawn which, when signed, will make Charles Einfeld vice-president in charge of 20th Century-Fox's advertising, publicity and exploitation on Jan. 1.

Einfeld, here from the Coast, already has been assigned an office at the company's home office. His contract is expected to be signed within 10 days, when he will return to Hollywood. He will divide his time between the Coast studio and the home office, but will continue his residence in Beverly Hills.

Business Better At NY 1st-Runs; Huge $60,000 for 'Joan'

Majority of New York first-runs are moving at a good clip this week, showing marked gains over last week when several dropped heavily. The Armistice holiday business of last Thursday boosted this week's returns.

Taking cognizance of the overflow, even the Victoria's competitors are happy about the magnificent box-office triumph of "Joan of Arc." The 1,000-seat Victoria is expected to gross an estimated $60,000 in the first week which means almost a complete turnover at every performance.

Continuing at a smash rate is "Snake Pit" at the Rivoli where a second week is figured to gross $57,000. Globe's "Blood on the Moon" is good at the start with $30,000 apparent for a first week. "You Gotta Stay Happy," with a stage show at

(*Continued on page 4*)

Video to Force Film Industry Changes: Coy

CHICAGO, Nov. 16. — Federal Communications Commission Chairman Wayne B. Coy warned today that the rapid advance of television means a "period of great adjustments" for motion picture exhibitors.

Coy said that not only would television compete with theatres for patrons, but would also compete with theatres for films. On the other hand, he admitted, television techniques may be used by theatres to broaden their fare with concerts, popular entertainment, on-the-spot news shots, and other top public events.

"Until there is a saturation of television receivers in this country," Coy said, "there will certainly be a large audience for outstanding public events in theatres."

Speaking before the Chicago Ro-

(*Continued on page 6*)

Exhibitor Leaders to Map NY Tax Fight

Four theatre association leaders were named yesterday to serve as a committee which will organize from among the industry's local tax experts a group which will document evidence to support New York City exhibitors' claim that the municipal government here would be "mulcting" owners if it persists in levying a two per cent tax on leased theatre equipment.

The association leaders, who were appointed at a tax protest rally in the

(*Continued on page 6*)

More Unity by MPA Members Seen Abroad

Closer Operations May Result from NY Meeting

A closer relationship among U. S. film companies in foreign operations, even to the extent of pooling operations as a means of cutting expenses to partially offset dwindling revenues, was indicated as a possible result of the three-day meeting of industry executives which began yesterday at the 20th Century-Fox home office here.

Economic state of the industry abroad made a dismal picture as it was presented to yesterday's conclave of presidents, vice-presidents, treasurers, and foreign and domestic sales executives of the member companies of the Motion Picture Association of America. There were 35 company officials present, in addition to Eric A. Johnston, MPAA president, who presided, and others of the MPAA.

No conclusions or decisions on positive action were made yesterday, although the nature of the information and opinions which were exchanged were said to indicate that some steps

(*Continued on page 6*)

SRO-UA Talks Are Switched to Coast

Scene of negotiations to place distribution of Selznick Releasing Organization product in the hands of United Artists is being shifted from New York to Hollywood, with huddles by David O. Selznick, Mary Pickford, Gradwell Sears, probably Charles Chaplin and Arthur Kelly, and others expected late this week.

Selznick returned to the Coast last weekend, after the UA board canvassed the various aspects of the pro-

(*Continued on page 6*)

56 to Be Inducted In Pioneers Tonight

Some 56 pioneers in the industry 25 years or longer will be inducted this evening at the annual dinner of the Motion Picture Pioneers at the Waldorf-Astoria Hotel here. The class will be among the largest ever inducted in the organization.

One of several highlights will be the awarding of the first annual cita-

(*Continued on page 6*)

Drive on Percentages Considered by Allied

Sopeg Complies with Taft Non-'Red' Rule

Leonard Boudin, attorney for United Office and Professional Workers of America, filed yesterday with the National Labor Relations Board affidavits signed by all present officers of Screen Office and Professional Employes Guild, CIO-UOPWA affiliate, in compliance with the non-Communist stipulation provisions of the Taft-Hartley Law, Boudin said.

WASHINGTON, Nov. 16.—The Finneran Plan for disciplining errant stars, amendment of the Robinson-Patman Act to include film rentals, and the possibility of an all-out drive against forced percentage playing will be topics high on the agenda of the Allied States board meeting to be held in New Orleans Nov. 27-28, according to a bulletin issued today by Abram F. Myers, Allied's counsel.

The board will also discuss the chal-

(*Continued on page 6*)

Personal Mention

ABRAM F. MYERS, Allied States board chairman, arrived here yesterday from Washington and will return there today.

•

CARL DUDLEY, president of Dudley Pictures, has left Beverly Hills for Chicago, Nashville, Washington, Norfolk and Philadelphia, en route to New York.

•

PETER LEVATHES, 20th Century-Fox short subjects sales manager, and MRS. LEVATHES have become parents of a daughter, LOUISE ELAINE, born at Leroy Sanitarium here.

•

HELEN GRABOW, formerly of the Eagle-Lion home office foreign department, has joined the firm of Ray Austrian and Associates, advertising agency.

•

MAURICE A. BERGMAN, Universal-International's Eastern advertising-publicity director, will leave here today for Chicago.

•

WALTER GOULD, United Artists foreign distribution manager, has returned to New York from Argentina and Brazil.

•

CHARLES SIMONELLI, Universal-International Eastern exploitation manager, left here last night for Indianapolis.

•

RALPH WHEELWRIGHT, assistant to M-G-M studio publicity head HOWARD STRICKLING, is due here today from the Coast.

•

JULES LAPIDUS, Warner Eastern division manager, will be in Buffalo today from New York.

•

C. J. FELDMAN, Universal-International Western sales manager, has left here for Chicago and the Midwest.

•

PAUL SHORT, Allied Artists producer, has returned to the Coast from Dallas.

•

HAROLD MIRISCH, Monogram vice-president, is in Chicago from Hollywood.

•

LIGE BRIEN, Eagle-Lion's assistant exploitation manager, will return to New York today from Pittsburgh.

Aid Truman Inaugural

WASHINGTON, Nov. 16.—Carter Barron, local Loew's representative, is in charge of special events for the committee which is arranging the inauguration of President Truman. Film star Melvyn Douglas is head of a film sub-committee.

Capra's First for Para.

HOLLYWOOD, Nov. 16. — Frank Capra's first production for Paramount will star Bing Crosby in a story based on "Broadway Bill," short story by the late Mark Hellinger. Starting date is not set.

$13 Million Bonus To E-K's Employes

ROCHESTER, N. Y., Nov. 16.—A 37-year record wage dividend of approximately $13,000,000 for 51,500 employes was voted here today by Eastman Kodak's board of directors, to be paid next March. Eligible employes will receive $22.50 for each $1,000 earned during 1944-48. Last year the wage dividend totaled $11,600,000 for 49,300 employes.

The board today also declared a cash dividend of 50 cents a share on common stock for the quarter and the regular 1½ per cent dividend on preferred stock of $1.50 a share. Both will be paid Jan. 3 to stockholders of record on Dec. 6.

Of the wage dividend, about $9,000,000 will go to 32,000 in Rochester.

Next March's payment will bring the total wage dividend distribution to approximately $103,000,000 since the plan was initiated in 1912.

The board declared also a stock dividend on the outstanding common of one share for each 20 held. The stock dividend was made in addition to the cash dividend. It is payable next Jan. 22, to stockholders of record on Dec. 24.

A company official pointed out that about $126,000,000 will have been spent by the company at the end of 1948 for improving and increasing plant facilities for the three post-war years.

A. B. Hyman Leases Four in Tennessee

OAK RIDGE, Tenn., Nov. 16.—Four Oak Ridge theatres, which have been under the management of G. B. Odlum for the Atomic Energy Commission, have been leased to A. B. Hyman and associates of Huntington, W. Va., who will assume operation in the near-future.

Odlum expects to return to independent exhibition in December and has several deals already pending. He was previously identified with the Uptown and City theatres, New York, and was with Paramount there during its reorganization.

Sauter Heads Group To Aid USO Drive

Formation of an entertainment industry committee to aid the USO's New York campaign for $6,650,000 in the Metropolitan area and to arrange the entertainment activities conducted by USO in military camp establishments, has been completed, with James Sauter as general chairman. A luncheon will be held on Nov. 30 to discuss plans and set up sub-committees.

Beck Will Handle Screen Plays' Ads

Myer P. Beck, promotional consultant here, has become Eastern advertising-publicity director of Screen Plays, Inc., under a long-term contract signed with Stanley Kramer and George Glass of Screen Plays under which Beck's office will take charge of all advertising and publicity for the firm.

Elect Delegates, Crew For Albany Variety

ALBANY, N. Y., Nov. 16. — Charles A. Smakwitz, Warner zone manager, and Joe Saperstein, Fabian booker, were chosen delegates to the Variety Clubs International convention, with Neil Hellman and Dr. Samuel Kalison as alternates, by the newly-elected local Variety crew. The crew, which will elect officers for 1949, includes: Jack Bullwinkle, Ray Smith, Ed Ruff, Nat Dickman, Fred Sliter, Saperstein, H. Jerry Atkin, Ed Wall, Leo Rosen, Sylvan Leff and Nat Winig.

Smakwitz Honored at Testimonial

ALBANY, N. Y., Nov. 16.—Charles A. Smakwitz, Warner zone manager here, was presented with a traveling bag and brief case as well as a plaque signed by Variety members here at a testimonial dinner given in his honor by the local Variety tent at the Colonie Country Club. Some 260 were on hand.

Theatre Trailer for Christmas Seal Sale

Ingrid Bergman appeals for support of the 1948 Christmas Seal sale in a trailer to be shown in theatres during the 42nd annual drive, Nov. 22 to Dec. 25, according to the National Tuberculosis Association.

The trailer was made for NTA by Walter Wanger, head of Sierra Productions, in cooperation with RKO. Victor Fleming directed the trailer, and Andrew Solt wrote the script.

The trailer, which runs for two minutes, has been cleared for the Theatre Owners of America. No collections will be made in connection with the showings.

Nothing Definite Set On 2 Wanger Films

Walter Wanger said yesterday that "nothing definite" has been set regarding his talks with distributors over the possibility of their taking two films made for Eagle-Lion release. The films are "Tulsa" and "Reign of Terror." One of the companies with whom he is reported to have discussed a deal is United Artists.

Wanger said he has delayed his trip to the Coast "to complete unfinished business."

Allan Moritz Heads Cincinnati Variety

CINCINNATI, Nov. 16.—Allan S. Moritz, Columbia branch manager, has been elected chief barker of the local Variety Club, Tent No. 3. Moritz, who succeeds Irving Sochin, Universal-International manager, served in the same capacity several years ago. Arthur Manheimer was chosen first guy and Saul Greenberg was reelected assistant and Jack Frisch second. Manny Trautenberg was named dough property master.

Actors' Party Friday

Catholic Actors Guild will hold its annual party at the Plaza Hotel here on Friday night with proceeds going to the Guild's hospital fund.

Newsreel Parade

THE birth of Princess Elizabet[h] son and President Truman on v[a]cation are current newsreel headlin[es] Tojo sentenced and Mackenzie K[ing] resigning are also highlighted. Co[m]plete contents follow:

MOVIETONE NEWS, No. 92—Brit[ain] hails birth of son to Elizabeth. Tojo s[en]tenced to die for Jap war crimes. Presid[ent] Truman on vacation. Dock strike. M[ac]kenzie King resigns as Prime Minister Canada. Mrs. Patton sees ne[w] my ta[nk] named after her husband. Foo[t]...

NEWS OF THE DAY, No. 222—U. ports paralyzed by dock strike. Tojo s[en]tenced. Beauty and the grapefruit. Pre[si]dent Truman on vacation. Mackenzie K[ing] steps down. Football.

PARAMOUNT NEWS, No. 25—Ri[ots] in Paris. Tojo and company sentenc[ed] People in the eyes of the world: It's a b[oy] for Princess Elizabeth; Patton tank chr[is]tened by widow. "Red" Dean visits U. Football.

UNIVERSAL NEWSREEL, No. 196—Tojo sentenced. News in brief: Preside[nt] Truman on vacation. Mackenzie King [re]signs. Ship strike. Football.

WARNER PATHE NEWS, No. 27—People in the news: President Truman a[nd] Sen. Barkley: "Red" Dean of Canterbu[ry] Field Marshall Montgomery. Reds in Be[r]lin anniversary. Tojo sentenced for w[ar] crimes. Florida peaches and grapefru[it] Italian smoke-eaters drill. A prince is bor[n] Football.

8 Drive-ins Are Se[t] By Pioneer Circuit

MINNEAPOLIS, Nov. 16. — Eigh[t] drive-ins are on the agenda of Pionee[r] circuit's outdoor project to "protect it[s] position" in the conventional theatr[e] field in Iowa. The latest list reveal[s] spring openings for stands in or nea[r] Webster City, Carroll, Storm Lak[e] Atlantic, Cherokee, Clarinda, Perr[y] and Spencer. All will be similar i[n] architecture, according to Pionee[r] president Harold Field of Minneapolis.

Drive-in competition has develope[d] in Manitowoc, Wis., where articles o[f] incorporation have been filed b[y] Triple-R Amusement Co., organize[d] by Roger W. Reinert, Richard E[.] Bosman and John C. Danielson, an[d] which has announced plans to buil[d] a 500-car outdoor stand on Memoria[l] Drive, north of Manitowoc.

It was announced two weeks ag[o] that Bob Guitermann, Manitowoc ex-hibitor, has a drive-in under way near the city.

At Grand Island, Neb., Tri-States (A. H. Blank) and Mrs. Madeline Kaufmann and William Youngclaus, owners of the city's three conventional theatres, have joined in plans to construct a 500-car drive-in on highway No. 2, West of the city. The project will be started immediately and completed next spring.

Aid Foundation Drive

A one-minute trailer entitled "It Might Be You," featuring an appeal by Ida Lupino for support of the Arthritis and Rheumatism Foundation drive, is currently showing in some 300 theatres in the Metropolitan area. National release will start on Friday when the trailer will be included in all newsreels. Floyd B. Odlum is chairman of the Foundation's board, while Dr. W. Paul Holbrook is president and Emerson Foote is chairman of the executive committee.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

WHAT TO SERVE FOR NEW YEARS!



The BIGGEST Musical has been selected by the Biggest Theatre, Radio City Music Hall for its Biggest Holiday time. Take a tip!

M-G-M presents THE BIGGEST MUSICAL

"WORDS AND MUSIC"

Starring *(alphabetically)*

JUNE ALLYSON • PERRY COMO • JUDY GARLAND • LENA HORNE
GENE KELLY • MICKEY ROONEY • ANN SOTHERN

with

TOM DRAKE • CYD CHARISSE • BETTY GARRETT • JANET LEIGH • MARSHALL THOMPSON • MEL TORME • VERA-ELLEN

COLOR BY TECHNICOLOR • Bosed on the Lives and Music of RICHARD RODGERS and LORENZ HART

Screen Ploy by Fred Finklehoffe • Story by Guy Bolton and Jeon Holloway • Adaptation by Ben Feiner, Jr.

Musical Numbers Directed by ROBERT ALTON • Directed by NORMAN TAUROG • Produced by ARTHUR FREED

Worth waiting for... SEE it the first time you're out!



"YOU GOTTA STAY HAPPY"

Reviews

"The Boy With Green Hair"

(*RKO Radio*)

SINCE it has the courage to abandon the conventional, the future awaiting "The Boy with Green Hair" is difficult to evaluate. On a basis of merit, that future never would be in doubt. However, merit does not always draw its own reward and, thus, the question remains.

This is a film with an avowed message—a message against the futility of war. It is told as a fantasy through the eyes and mind of Dean Stockwell, the appealing youngster to whom it all happened. On occasion, the treatment veers to take on the viewpoint of the grownups who come off a decided second best through incredulity and indifference.

Young Stockwell is a war casualty and the orphaned son of parents who die in London protecting other children from German bombs. Handed down from relative to relative, he reaches Pat O'Brien, ex-circus performer and now singing waiter, and with him makes his home. In school, he learns he is as much an orphan as the children of the war relief posters on display in the classroom. The shock is substantial and the impression deep.

The next day his hair turns green. The phenomenon causes general bafflement. The doctor cannot explain it, nor can anyone else. Then the cruelties set in. Dean becomes an object of curiosity. The milk supply becomes suspect. People wonder about the water. Parents keep their offspring away in fear of contagion. In misery, Dean decides to run away. Deep in the woods, he hears his name called and looks up to find the orphans of the posters brought to life. They explain his green hair represents a mark and a mission. The mark designates him as a war orphan and the mission is to explain to all who will listen that war is bad for children and that there should be no more of it.

With an understanding of why and what has happened, Dean returns to his town where he spreads the word among those who refuse to believe him. The pressure exerted on O'Brien induces young Stockwell to have his head shaved. He submits reluctantly, then runs away, is picked up by the police in an adjoining town, tells his story to Robert Ryan, child psychiatrist who returns him to O'Brien in a closing sequence which suggests a greater, but never assured, measure of understanding in the future.

All this is conveyed with charm, delicacy, tugs at the heartstrings and a gentle brand of comedy, principally through unusually good performances by the boy and O'Brien.

Betsy Beaton's story has been adapted by Ben Barzman and Alfred Lewis Levitt with understanding and appreciation which are never lost on Joseph Losey, the director, and Stephen Ames, the producer. They must have had their hearts in this. For the musical theme there is "Nature Boy," appropriately adding to the mood. The film, of course, is in Technicolor.

Running time, 82 minutes. General audience classification. Release date, not set.

RED KANN

"The Accused"

(*Paramount*)

WITH deftness of touch, Hal Wallis has produced a film that excites and engrosses. A melodrama with psychological trimmings, it has been given a polished screenplay that moves with calm and deliberate pace and maintains a tone of tense expectancy. It does, by way of minor weakness, stray into moments that seem a trifle prolonged. Besides the popular appeal of the story, an additional merchandising asset is a good cast, headed by Oscar-winning Loretta Young and including Robert Cummings, Wendell Corey and Sam Jaffee.

Miss Young, as a psychology professor, unintentionally kills one of her aggressive students in self-defense. Desperate with fear, she conceals her connection with the crime and a report of accidental death is subsequently brought in. However, Corey, a shrewd and seasoned detective, has suspicions, and they are given substance by investigation. As events develop, it becomes a contest in which Miss Young pits her knowledge of psychology against Corey's hardened police experience. Terror grips Miss Young and her conscience becomes a window through which the audience views the unfolding story.

A series of melodramatic events bring the story to its courtroom climax in which a plea of self-defense is made and the way paved for Miss Young's marriage to Cummings, who defends her at the trial. Performances range from satisfactory to outstanding, with the latter designation going to Corey. William Dieterle directed from Ketti Frings' screenplay which was based on a June Truesdell novel. Clever bits of dialogue run through the picture, making it all the more enjoyable.

Running time, 101 minutes. Adult audience classification. Set for Jan. 14 release.

MANDEL HERBSTMAN

Information Media Conference Friday

WASHINGTON, Nov. 16.—Second annual All-Media Conference on Freedom of Expression will be held here on Friday, at the headquarters of the National Association of Broadcasters, the NAB announced today.

Motion picture industry representatives slated to attend the meeting are James M. Barnes, SIMPP counsel; Kenneth Clark, MPAA's information director, and Sidney Schreiber, MPAA general counsel.

5th WB Stockholder Suit

Marking the fifth such action to be taken since Sept. 20 against the same plaintiffs, Warner minority stockholder Edward S. Birn filed yesterday in U. S. District Court here a suit against United States Pictures, Warner Brothers, Joseph Bernhard, Robert W. Perkins, Milton Sperling, Harry M. Warner, Jack L. Warner and Morris Wolf, alleging conspiracy in behalf of United to the detriment of Warner. Suit asks for an accounting on a production-distribution deal made in 1945 between the two companies.

New York Grosses

(*Continued from page* 1)

the Music Hall, is likely to wind u a second week with a fairly substa tial $130,000. Third week of "Ju Bride" with Vaughn Monroe on sta should mean a handsome $60,000 f the Strand.

At the Roxy, "Unfaithfully Your with Peter Lind Hayes, Mary Hea and Jack Cole in person concluded second week with a modera $95,00 it will be succeeded on N 23 b "When My Baby Smiles at Me Fourth week of "Song Is Born" the Astor is fair at about $19,500; t Astor's Christmas attraction will b "Enchantment." "Red Shoes" at th Bijou will gross $16,500, which is to notch for a fourth week.

"One Touch of Venus" with Jea Sablon on stage at the Capitol, in third week, is down to an estimate $25,000; the Capitol's next will b "The Kissing Bandit," opening Thur day, with Jane Powell, Joey Adam and Shep Fields' orchestra on stag

"Sealed Verdict," with Frank Laine, Connie Haines and Jerry Wald orchestra gave the Paramount healthy second week's business est mated at $70,000. Third week of "Roa House is good at the Mayfair wher $30,000 is indicated. Seventh week "Hamlet" at the Park should be goo for $17,000, close to capacity. Fourt week of "Three Musketeers" shoul bring the State a handsome $45,00 "The Plunderers" is fair at the Goth am where $9,500 is apparent for third week. Third week of "Kiss th Blood Off My Hands," should gros about $18,000 to the Criterion, medi ocre; it will be replaced by "Souther Yankee" on Nov. 24.

Ascap Loses Bid

(*Continued from page* 1)

from exhibitors as long as the Societ "remains illegal." Milton Weisman the exhibitors' attorney, yesterday op posed the granting of the interim sta with the contention that Ascap "clear ly is illegal" and, consequently, ha no defense. If the stay were granted he told the court before the ruling no producer or exhibitor would know what to do. Judge Hand agreed wit him.



Have YOU tried a SKYBERTH on American's famous DC-6 "MERCURY" flight to LOS ANGELES?

Phone HAvemeyer 6-5000 or your travel agent

Ticket Offices: Airlines Terminal Rockefeller Center • Hotel New Yorker 120 Broadway • Hotel St. George

AMERICAN AIRLINES

3 MILLION READERS LOVE THEM IN THE COMICS

. . and They're Crazy About Them on the Screen!

SOCKO BUSINESS IN TOWNS OF EVERY SIZE PROVES IT!

NOGRAM PICTURES presents

JIGGS and MAGGIE "BRINGING UP FATHER"

Starring
JOE YULE and RENIE RIANO
and Cartoonist
GEORGE McMANUS



Based on the Original Newspaper Feature by GEORGE McMANUS
Copyrighted by King Features Syndicate
Produced by BARNEY GERARD · Directed by Eddie Cline
Story & Screenplay by Eddie Cline & Barney Gerard

MONOGRAM PICTURES presents

"JIGGS and MAGGIE IN SOCIETY"

Starring
JOE YULE and RENIE RIANO
and Introducing
ARTHUR MURRAY Dance King
DALE CARNEGIE
Author of "How To Win Friends"
SHEILAH GRAHAM
Famed Film Columnist

READ WHAT SMART SHOWMEN SAY... AND YOU'LL BOOK THESE LAUGH HITS *TODAY*!

"When you've had one boxoffice flop after another on the big 'supers' and people start arriving in droves to see an attraction like this, I think it is an indication of what people want. They came, they saw, and they advertised by word of mouth."
— Robert Walker, Vintah Theatre, Fruita, Colo.

"They have asked me many times 'When are you going to have Maggie and Jiggs again!' Very pleasing comedy."
— W. P. Eakins, Lewis Theatre, Garrison, Ky.

"Our patrons got a kick out of Jiggs & Maggie. Did extra business."
— M. P. Musselman, Roach Theatre, Lincoln, Kans.

"Maggie and Jiggs must have a very good following thru the country as this did very well for us."
— D. W. Trisko, Ritz Theatre, Jerome, Ariz

Top-notch boxoffice attraction. Jiggs & Maggie brought new faces and many infrequent patrons."
— Stanley Leay, Stanley Theatre, Galena, Ill

Their 3rd Happy Hit is Coming Soon from MONOGRAM!

JIGGS and MAGGIE IN COURT

MPAA Meetings

(*Continued from page* 1)

along the lines of further economies might be likely.

Robert W. Chambers, head of MPAA's "fact-finding" staff, presented extensive statistics depicting the shrinkage in world market returns against the continually increasing cost of prints and general operations in foreign countries.

Facts and figures of a more generalized nature, but pertinent to the industry, were presented by Dr. Isidore Lubin, head of Confidential Reports and former chief of the U. S. Bureau of Labor Statistics.

Sees Drop in Living Cost

Lubin said that he was of the opinion that U. S. living costs will drop and as a result the average person will have approximately five cents more of each dollar's income available for entertainment—this including all amusements, not only films. He cited baseball, football and bowling as competition.

Majority of those present yesterday lunched at the 20th-Fox home office dining room.

At Johnston's suggestion, the afternoon session was confined to company presidents.

The meeting will resume today at the Warner home office and the concluding session will take place tomorrow at the Paramount home office board room.

Executives at Parley

Those present yesterday included:

Columbia: Jack Cohn, Arnold Picker, Abe Schneider.

Loew's: Charles C. Moskowitz, William F. Rodgers, Arthur M. Loew, Nicholas M. Schenck.

Paramount: Barney Balaban, Louis Novins, Fred Mohrhardt, Y. Frank Freeman, William Piper, Edward K. O'Shea.

RKO Radio: Ned E. Depinet, Robert Mochrie, Phil Reisman, John Whitaker, William H. Clark.

Republic: Theodore Black.

Twentieth Century-Fox: Spyros P. Skouras, W. C. Michel, Donald A. Henderson, Emanuel Silverstone, Andrew W. Smith, Jr.

Universal: Nate J. Blumberg, J. J. O'Connor, Joseph H. Seidelman, Samuel Machnovitch, William A. Scully.

Warner: Albert Warner, Samuel Schneider, Wolfe Cohen, W. Stewart McDonald, Benjamin Kalmenson.

MPAA: Eric Johnston, Francis S. Harmon, F. W. DuVall, Sidney Schreiber, Robert Chambers, Kenneth Clark.

Coy on Video

(*Continued from page* 1)

tary Club, Coy pointed out that on Jan. 12 the Midwest Television network will connect with the Eastern network. "I hope to see a coast-to-coast television network within another two years," he said.

Coy recalled that the Commission is studying the possibilities of adding more television channels, employing those in a higher part of the radio spectrum. "We are now holding conferences with video industry leaders to determine if equipment can be developed to operate in this upper region," he declared. "I predict that we are going to be able to add those higher channels soon."

Coy declared that it is a serious mistake to suppose that "television must inevitably grow as an incubus, by taking the life blood of other media," but that it is equally wrong for other media to "stick their heads in the sands and assume that this new development may not affect them adversely."

The FCC official said that he expected 400 television stations to be on the air in another two years. In seven to eight years, he declared, there will be 1,000 television stations on the air. At present there are 45 stations in operation, 77 others have construction permits, and 311 applications are pending at the FCC.

Television operators face an "almost superhuman task" in programming their stations 12 to 18 hours a day, Coy warned, adding: "Film will of necessity be one of their essential requirements. Either they will get the film from present producers in competition with exhibitors, or producers will make films tailor-made for television, or new producers or the broadcasters will make them."

Selznick Said His Policy Is 'No Sales' to Television

HOLLYWOOD, Nov. 16.—David O. Selznick declared here today that it is his policy to make no sales of his films, old or new, to television, and that while he could not make any plans as to the future in face of the "uncertainty of the relationship between the television and motion picture industries," he emphasized that Selznick pictures already sold for television were not controlled by him or any of his enterprises.

Selznick's "Nothing Sacred," "Made for Each Other," "Dancing Pirate" and "Little Lord Fauntleroy," the producer explained, were acquired by the John Hay Whitney interests at the time of the division of the assets of the old Selznick International some years ago and were resold by the Whitney interests to other groups. It is these groups which sold them to Columbia Broadcasting for television.

56 To Pioneers

(*Continued from page* 1)

tion of "Picture Pioneer of the Year" to Gus Eyssell, executive director of Rockefeller Center, Inc., and president of Radio City Music Hall. Jack Cohn, vice-president of Columbia Pictures and president of the Pioneers, will preside. More than 400 have dinner reservations. Dr. George Gallup will be among the guest speakers.

The dinner committee consists of Hal Horne, Hal Hode, Gilbert Joseph son, Harry Takiff, Marvyn Kirsch Bert Sanford, Jack Levin, Leon Leonidoff and Jack Goldstein. They have arranged several innovations for the event.

Invited to the dais were: Ned Depinet, Barney Balaban, Adolph Zukor, Eyssell, Horne, Supreme Court Justice Ferdinand Pecora, Walter Wanger, Nate Blumberg, Si Fabian Spyros Skouras, Eric Johnston, Albert Warner and Y. Frank Freeman, besides Cohn.

Scheduled to entertain are the Radio City Glee Club and comedians Milton Berle, Abe Burrows, Peter Lind Hayes and Willie Howard.

Applicants will be formally inducted at ceremonies staged by Leon Leonidoff, senior producer of Radio City Music Hall, and presided over by Justice Pecora. The candidates follow:

Ray Allison, William H. Applegate, Jr., Bernard P. Arons, Ralph Brook Austrian, Philip F. Barbanell, Albert O. Bondy, Phil H. Chakeres, Albert M. Cohen, Samuel Cohen, Albert Cornfeld, Louis Davidoff, Y. Frank Freeman, Emil Friedlander, Edward Gabriel, Thomas W. Gerety, Max A. Goldbaum, Paul J. Greenhalgh, Monroe W. Greenthal, Jacques Grinieff, Nelson L. Gross, Milas L. Hurley, Henry W. Kahn, David Kerman, Harry E. Long, Irving Mack, Irwin Margulies, Sidney Meyer, David E. Milgram, William J. Miller, Lee W. Newbury.

Also: Steve Pallos (from England), Georgie Price, Jack Rieger, Ed Rosenbaum, Julius Sanders, Harry J. Schad, A. A. Schubart, Charles Schwartz, Henry G. Segal, Joseph M. Shear, John Martin (Sonny) Shepherd, Al Sherman, J. Ellis Shipman, David Snaper, Stanley S. Sobelson, Samuel Spring, Joseph R. Springer, Bert M. Stearn, Leo Tolen, Saul Trauner, Terry Turner, Walter Wanger, Emmett E. Weakley, Lester H. Wurtele, Carl P. York (from Sweden).

N. Y. C. Tax War

(*Continued from page* 1)

Hotel Astor here, are: Gael Sullivan, Theatre Owners of America executive director; Leo Brecher, president of the Metropolitan Motion Picture Theatre Owners; Harry Brandt, head of the Independent Theatre Owners Association of New York, and James Reilly, executive secretary of the New York Theatre League.

Some 600 theatres in the Metropolitan area were represented at yesterday's meeting which was presided over by Brandt Theatres executive William Brandt, who described attempts which have been made by city auditors to secure taxes on theatre equipment leased during the past eight years, the period during which the municipal sales tax law has been in force. Tax specialists present explained that under the law the city can levy a personal property tax on leased theatre equipment, but they agreed that the law is "ambiguous" and that such a tax is unjust. Brandt estimated that "it will cost New York's theatre lessees several million dollars" unless the heretofore dormant lease tax is repealed.

Percentage Drive

(*Continued from page* 1)

lenge of television to the theatre, based on experience to date, as well as possible representation to film companies against making pictures available to television in competition with established theatres.

In addition, the bulletin stated, there will be discussion of legislation to set up anti-trust courts, repeal of the Federal admission tax, film rentals and other trade topics, with special consideration of what was described as M-G-M's abandonment of the sliding scale on percentage pictures.

The meeting will hear reports on the Paramount, Schine and Griffith cases, the RKO consent decree, activities of Allied's Caravan Committee, the Smith-Berger conciliation plan and the encouragement of regional Allied meetings. The board will also vote on the application of Mid-Central Allied for membership.

To date, 575 persons have registered for the Gulf States Allied convention, to be held Nov. 28-Dec. 1, and it is expected that more than 600 will attend, in celebration of Allied's 20th anniversary.

New Griffith Evidence

(*Continued from page* 1)

scribes as the circuit's "illegal practices."

Defense attorneys are expected to oppose this, asking that the case be decided on the basis of the present evidence. If Judge Vaught refuses to allow the government to present new evidence, the latter will have to ask for a further delay to give it time to prepare proposed findings, Justice officials said.

Judge Vaught has under advisement a government motion to make Theatre Enterprises, Inc., new Griffith affiliate a party to the case.

SRO - UA Talks

(*Continued from page* 1)

jected arrangement without taking a vote either to ratify or reject the deal. Miss Pickford left here for Hollywood last evening, Kelly yesterday afternoon, and Sears flies West today. A second board meeting had been expected here tomorrow or Friday.

In some quarters here consummation of a SRO-UA deal was held to be somewhat doubtful, with Chaplin continuing adamant in his objections to some phases of the project and reports circulating that Selznick contemplates talks with another distributor. In a statement issued on the Coast yesterday, Selznick said: "There are many points to be straightened out on both sides before any deal can be concluded. As of today, I would not wish to hazard any guess as to the likelihood of its being finalized."

New York Representative, 44 Wall St.
Foreign Branches:
London, Manila, and Tokyo

The Bank of the Motion Picture Industry

Bank of America
NATIONAL TRUST AND SAVINGS ASSOCIATION
California's Statewide Bank

MEMBER F. D. I. C.

From Newark—MIAMI $50
FLY OVERNITE TO Coast to Coast
COAST TO COAST $88 PLUS TAX
SKYCRUISES, INC. DC-4 • 12 HOURS
Air Travel Agency
HOTEL DIPLOMAT 108 W. 43rd St. New York City BRyant 9-3707
HOTEL BRISTOL 423 W. 8th St. Los Angeles Trinity 8662

"300" System mounted on jeep on location for "Green Grass of Wyoming"



GREEN GRASS OF WYOMING
a 20th Century Fox Production

Produced by . . . . . Robert Bassler
Directed by . . . . . Louis King
Sound Engineer . . . . . Bernard Freericks
Sound by . . . . . Western Electric

How Western Electric's "300" system handled a tough location job

Location shots for "Green Grass of Wyoming" in the Cedar Breaks National Monument were recorded with ease by this jeep-mounted Western Electric "300" System.

The jeep sped over rugged mountain roads at elevations up to 11,000 feet, made its way into seemingly inaccessible spots, was always on hand when the going was the toughest. Yet the "300" equipment operated dependably throughout the entire nine weeks it was on location.

Successful performances under difficult conditions are earning a fine reputation for the "300" . . . a worthy companion for the Western Electric "200" Newsreel and Deluxe "400" Studio Systems.

Electrical Research Products Division
OF
Western Electric Company
INCORPORATED
233 BROADWAY, NEW YORK 7, N. Y.
Hollywood office—6601 Romaine St.

TOP GROSSES COAST-TO-COAST

TOP ALL WIDMARK MARKS



INCLUDING THE STREET WITH NO NAME!

NEW YORK
LOS ANGELES
WASHINGTON
ST. LOUIS
PHILADELPHIA
BALTIMORE
CHICAGO
OKLAHOMA CITY



IDA LUPINO
CORNEL WILDE
CELESTE HOLM
RICHARD WIDMARK

ROAD HOUSE

with O. Z. WHITEHEAD, ROBERT KARNE
GEORGE BERANGER, IAN MacDONALD, GRANDON RHODE
Directed by JEAN NEGULESCO - Produced by EDWARD CHODOROV
Screen Play by Edward Chodorov - Story by Margaret Gruen and Oscar Sa

SPYROS P. SKOURAS
35th Anniversary Celebration
SEPT. 26—DEC. 25
Inclusive!

SHOWMEN CELEBRATE 20th CENTURY-FOX WEEK, NOV. 21-27

FILE COPY
DO NOT REMOVE

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 24, NO. 97 NEW YORK, U. S. A., THURSDAY, NOVEMBER 18, 1948 TEN CENTS

Ascap Holding Up National Policy on Fees

Expects Payments While Suit Is Being Appealed

American Society of Composers, Authors and Publishers will defer setting a national policy on the collection of music licensing fees from theatres until final adjudication of the anti-trust suit brought against it by Independent Theatre Owners Association of New York, an Ascap official said here yesterday.

Ascap's appeal from Federal District Court Judge Vincent L. Leibell's decision in the ITOA case will go to the U. S. Circuit Court of Appeals here on Nov. 29, and regardless of the outcome in the Circuit Court, it is certain to go on to the U. S. Supreme Court either on appeal by Ascap in the event the decision is affirmed or by the ITOA in the event it is reversed.

Even if the Supreme Court should decline to review the case on appeal, months will elapse before the case is closed.

Meanwhile, Ascap retains a claim

(*Continued on page 5*)

Schary Cites MGM Production Rise

M-G-M's volume of production has been climbing steadily and will continue to do so, Dore Schary, production chief, pointed out here yesterday. In New York for conferences with company president Nicholas Schenck, Schary indicated that next year M-G-M will make about 30 pictures, compared to 28 this year, and 21 in 1947.

Schary said he regards 18 pictures as a "comfortable backlog" for the studio. The company does not have

(*Continued on page 5*)

Ernst Wants 'Em in Smaller Pieces Yet

WASHINGTON, Nov. 17.—Morris Ernst today urged Congress to take steps to divorce motion picture exhibition from production and distribution.

Testifying before the House Small Business committee, the New York attorney lashed out at theatre-owning production-distribution companies dur-

(*Continued on page 5*)

U. K. Report Chills Plan for Government-Owned Studio

By PETER BURNUP

LONDON, Nov. 17.—If the government undertakes to provide studio facilities for independent producers "whose needs are not otherwise adequately provided for," the government should own and not merely lease such a studio, the committee which has studied the subject for Harold Wilson, president of the Board of Trade, will report tomorrow.

The report raises many serious questions and appears certain to prove a setback to the hopes of many unemployed and hitherto unsuccessful producers who foresaw easy salvation from a Socialist government's beneficence.

If Wilson acts on the report at all, it will not be before he meets with his National Film Production Council on Nov. 29, summoned at the instance of disturbed studio unions.

The committee's report will recom-

(*Continued on page 2*)

Eyssell Receives Pioneer Citation

Gus Eyssell, executive director of Rockefeller Center, Inc., and president of Radio City Music Hall, last night received the first annual award for having been selected the "Pioneer of the Year," at the ninth annual dinner of the Motion Picture Pioneers, held at the Waldorf-Astoria Hotel. Jack Cohn, organization president, presided; Hal Horne was master-of-ceremonies. Some 400 attended.

In his speech of acceptance, Eyssell observed, "I do not believe for one minute that we have anything to fear from the future, for it is an American

(*Continued on page 5*)

Some Civilians May Attend Army Houses

WASHINGTON, Nov. 17.—Patronage eligibility at Army and Air Force motion picture theatres has been broadened by consent of the motion picture industry to permit the attendance of certain civilian guests, Major General Russel B. Reynolds, Chief of Special Services, Department of the Army, announced here today.

As the result of conferences between representatives of industry, including exhibitors and distributors, and representatives of the Army and Air Force, it has been determined that military personnel may take their civilian guests to post theatres.

Para. 'Sell-away' in New Orleans Opens

New Orleans, Nov. 17. — After months of controversy over rental terms between Paramount and E. V. Richards, its theatre partner in this territory, the distributor has started to sell away from the Richards-Saenger circuit here, with "Foreign Affair" as the first "sell-away" to open at the Saenger competitor Loew's State tomorrow.

NJ Allied Condemns 'Offending' Actors

NEWARK, Nov. 17.—Allied Theatre Owners of New Jersey, following a membership meeting at the Newark Athletic Club yesterday, disclosed that "the organization is unanimous in its condemnation of actors and actresses in Hollywood who by their conduct brought ill repute on our industry." It was indicated that action would be taken at the Allied national board meeting in New Orleans, Nov. 27-28.

George Gold, Jersey Allied's legislative chairman, submitted to the meeting a report on the possibility of a censorship bill being introduced in the State Legislature when it meets in January. The organization pledged itself to an all-out fight against such legislation, which is said to be inspired by showings in Newark of "indecent and immoral" pictures produced in places other than Hollywood.

The meeting here was presided over

(*Continued on page 5*)

File $241,500 Trust Suit on the Coast

LOS ANGELES, Nov. 17.—Twelve defendant distributing companies were ordered by Federal Judge Ben Harrison to show cause on Dec. 15 why a restraining order should not be issued in a monopoly and anti-trust suit filed today by Steve and Emma Chorak, owners of the Puente Theatre in Puente.

The complaint, which charges conspiracy on clearances, asks treble damages of $241,500. In addition to the distributors, defendants named are the Edwards Theatre Circuit, James Edwards, Jr., and Arthur L. Sanborn.

Plan on Public Relations to MPAA Today

'Definitive' Action Is Expected, Johnston Says

The fate of a public relations problem for the industry, long proposed in various forms, will be determined at today's meeting here of the executive committee of the Motion Picture Association of America. Eric A. Johnston, MPAA president, said yesterday that he expects "definitive" action will be taken, but he did not elaborate.

It is known that the plan proposed by Paul MacNamara, director of advertising-publicity for Selznick Releasing Organization, has gained favor among some top executives, both here and on the Coast. MacNamara's idea is to allocate 2½ per cent of all promotion funds to a general industry campaign.

Yesterday's meeting was devoted to an exchange of views on the rela-

(*Continued on page 5*)

Conciliation Board Planned in St. Louis

ST. LOUIS, Nov. 17.—The Motion Picture Theatre Owners of St. Louis, Eastern Missouri, and Southern Illinois, will approach Mid-Central Allied Independent Theatre Owners, United Theatre Owners of Illinois, and non-affiliated theatres to organize a St. Louis area conciliation board.

The proposed board will not arbitrate rentals but will attempt to settle other trade disputes between exhibitors and distributors.

The following MPTO committee chairmen have been selected: Legislation, Fred Wehrenberg; executive and membership (outstate), L. J. Williams; St. Louis area, Louis Ansell; bulletin, Maury Davis. Tom Edwards is MPTO president.

More Trouble Seen Over Jackson Park

CHICAGO, Nov. 17.—RKO's holding over of "Last Days of Pompeii" and "She" at the Grand Theatre for a third week Loop run may cause a legal battle under the ruling of the Jackson Park decree. RKO attorney Miles Seeley alleges that the decree does not stipulate the prohibition of

(*Continued on page 5*)

Personal Mention

ARTHUR KRIM, Eagle-Lion president, is scheduled to leave for the Coast this weekend, his earlier departure having been postponed.

•

SIR PHILIP WARTER, chairman of the board of Associated British Pictures, Warner subsidiary in Britain, has been invested with the Insignia of the Order of St. John of Jerusalem by the Duke of Gloucester in recognition of services rendered to the Order by ABPC over a number of years.

•

MRS. ISABELLE PETERS COUYAS, executive secretary to Paramount treasurer FRED MOHRHARDT, has resigned, effective tomorrow. She and her husband will enter the restaurant business in La Jolla, Cal.

•

FRANK C. HENSLER, field assistant to M-G-M Central sales manager JOHN J. MALONEY, has returned to his Detroit headquarters from New York and Kansas City.

•

HOWARD G. MINSKY, 20th Century-Fox assistant Eastern division sales manager, is due back in New York today from Buffalo.

•

WALTER H. GROSSELFINGER, Westrex radio manager, has returned to New York from a three-month tour of Europe.

•

LEO SELIGMAN, Favorite Films treasurer, is on a trip to Cincinnati, Memphis, Louisville and New Orleans from New York.

•

ED HINCHY, head of the Warner playdate department, is due back here on Monday from Chicago, Milwaukee and Minneapolis.

•

JACK OSSERMAN, RKO Radio Latin American manager, is in Mexico City from New York.

•

KENNETH MACKENNA, M-G-M studio story head, is due here today from the Coast.

•

INGRID BERGMAN returned to the Coast yesterday by plane from New York.

•

MAXWELL HAMILTON, editor of *Motion Picture Magazine*, left New York yesterday for Hollywood.

•

D. L. TURNER, Altec district manager in Atlanta, is here from that city.

Wright Here to Work On Trust Affidavits

Robert Wright, Department of Justice attorney in the Paramount case, arrived in New York from Washington yesterday to begin processing of written testimony submitted by the theatre-owning defendants for entry in the court record in the case by stipulation. Affidavits which the companies will present will eliminate the necessity of calling witnesses at the next hearing on Nov. 29.

British Tighten Up On 'Investments'

LONDON, Nov. 17.—The British Board of Trade has disclosed a schedule of interpretations of certain sections of the U. K. tax settlement agreement, made for the purpose of tightening-up definitions of "permitted investments" of unremittable balances. Treasury spokesmen said the original pact was loosely worded.

Emphasized in the interpretation is a provision that normal distribution expenses shall continue to be deducted from gross rentals and not be paid from unremittable funds.

The "sterling area" in the agreement is now described as including the United Kingdom, Channel Islands, Isle of Man, ships at sea flying the British flag, Malta and Gibraltar. Eireann revenues continue to be treated as U. K. earnings.

Paragraph eight of the agreement has been amplified to prohibit the use of "frozen-funds" for the purchase of British film rights if acquired after termination of the agreement. Schedule A of paragraph five requires that personal service payments be permitted only if they do not occasion foreign exchange liability. Also, payments to persons in resident scheduled territories must be made through a resident account.

Canadian Theatres Up 216 in a Year

OTTAWA, Nov. 17.—Motion picture theatres in Canada last year increased from 1,477 to 1,693, up 216.

Ontario had the largest number of theatres in operation, some 473, compared with 420 in the preceding year, the Canadian government discloses. Fifty-six new theatres were opened in Ontario, against only nine in the previous year, with one theatre re-opened and four closed in both years, showing a net increase of 53 for 1947, compared with six in the preceding year.

Elsewhere in Canada, the number of theatres operating last year was as follows, (previous year's figures are in brackets): Quebec, 318 (250); Saskatchewan, 254 (240); Alberta, 178 (156); British Columbia 173 (149); Manitoba, 146 (137); Nova Scotia, 79 (71); New Brunswick, 58 (44); Prince Edward Island, 14 (10).

Canadians May Get Ticket Tax Relief

OTTAWA, Nov. 17.—With provincial elections in sight in some parts of Canada, the 20 per cent provincial amusement tax which is still being collected in some regions, is expected to be either abolished completely or lowered as a levy on entertainment, in order to capture public favor.

Westrex Fetes Aides

Eighteen Westrex foreign managers were feted last night by Westrex at a dinner at Cavanagh's Restaurant here. E. S. Gregg, Westrex vice-president, presided. Members of the film industry in the Metropolitan area were invited. The 18 managers are here for conferences.

U. S. to Distribute Disney Biography

Walt Disney will be the subject of a biographical feature story to be sent, with photographs, to 106 foreign countries by the Department of State. Disney is fourth on the list of Americans to be honored in this newly-instituted service, the others being Dwight D. Eisenhower, Thomas E. Dewey and John D. Rockefeller, Sr.

Imports Cut 50% by South African Rule

South Africa's importation of American films will be cut about one-half by new restrictions, according to word received here from Johannesburg. The import rules reportedly were set up by the South African government in anticipation of a request for a U. S. loan. Under the move, dollar allocations by the South African government will be made on the basis of 50 per cent of the amount of dollars expended by an importer in 1947.

The regulation is retroactive to Jan., 1948. Anything imported between then and July will be deducted from the dollar total made available for the year. There will be no interference with shipments ordered prior to Nov. 5 and on shipboard by Nov. 30.

It was the view of one prominent South African theatre owner, according to the dispatch reaching here, that the regulation would not seriously hurt film imports since a great many pictures had been ordered and shipped during 1947. In the long run, however, when this backlog is exhausted, the dollar shortage will make itself felt product-wise.

Seek Cut in Cost of Far East Operation

WASHINGTON, Nov. 17.—Contracts are being negotiated with film companies and other media whereby their operations in the occupied areas of the Far East can be continued without the heavy dollar expenditures incurred by them in the past, it was reported here from information announced in Tokyo by a spokesman for General Douglas MacArthur. The spokesman stated that American firms have made an outstanding contribution to the Army's reorientation and reeducational programs in the Far East areas and that film companies have imported and distributed selected entertainment and documentary films.

Experimental Video Station Asked by WB

WASHINGTON, Nov. 17.—Warner has applied to the Federal Communications Commission for an experimental television station at Los Angeles, where it would carry on experiments in ultra-high frequency television transmission.

U. K. Report

(*Continued from page* 1)

mend that since continuous production is vital to the success of the proposed studio and to fixing rents on an economic basis, the government in the first instance should invite proposals from free-lance producers for the formation of a cooperative organization whose primary function would be the planning and execution of an effective production program.

If the government thereafter is satisfied that an effective organization has been established along those lines and the government decides to provide the free-lance studio, it should be the owner of the studio.

Proposes Setup of Board

The committee also will recommend that management of such a government-owned studio should be turned over to a limited company similar to its recently formed Film Finance Corp. It is proposed that the company's management board should consist of five directors, comprising a chairman and managing director of wide business and administrative experience, a business man with intimate experience of the film industry, a free-lance producer representing independents, a studio manager and a production manager, both of proved ability and experience.

Preamble to the report reveals that it was prepared by a three-man committee none of whom had previous intimate experience with the industry.

The report notes, too, that "there never has been a time when so much studio space was available as now," adding that "We have been assured that there is ample space now for production of films up to and beyond present quota" demands.

Reasons for 'Ample Space'

It gives as reasons for the existence of this situation the abolition of the Renters' (distributors') Quota, with Americans no longer under obligation to acquire British films; the discouragement of financial backers by losses incurred through extravagances on the part of certain producers; the success of other producers in reducing shooting time, thus increasing available studio space through shorter schedules; the addition of new space by the recommissioning of two Associated British Pictures Corp. stages, and finally the unsettlement resulting from the American "boycott" which made producers and bankers unwilling to undertake new production ventures.

The report also cites vertical integration of production, distribution and exhibition in large organizations as considerably lessening the speculative production elements.

The report suggests, too, that the government might be driven to engage in production, or be faced with great financial loss, if continuous production was not maintained at the studio.

12-Cent Circuit Dividend

OTTAWA, Nov. 17.—A dividend of 12 cents per share on Class A stock, payable in Canadian funds on Dec. 1 to shareholders of record on Nov. 8, has been declared by Consolidated Theatres Co.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

DENNIS MORGAN

DOROTHY MALONE

DON DeFORE

JANIS PAIGE



One Sunday Afternoon

COLOR BY TECHNICOLOR!

DIRECTED BY RAOUL WALSH

Screen Play by ROBERT L. RICHARDS • From the Play by JAMES HAGAN
Musical Numbers Created and Staged by LeROY PRINZ
Music Arranged and Adapted by RAY HEINDORF

PRODUCED BY JERRY WALD

FOR XMAS

OUR

unday

BEST!

om

VARNER

BROS. comes a

appy-go-huggy

nusical lark-

n-the-park!

Dozier Will Help Promote His Film

William Dozier, head of Rampart Productions, which releases through Universal-International, said here yesterday that the independent producer should participate in the selling activities that follows the making of a picture. Accordingly, he will exert his efforts on the impending advertising-promotion campaign which U-I has drafted for Ramparts' "You Gotta Stay Happy."

Dozier said major distributors have been short-sighted in failing to secure the benefit of a producer's selling advice and judgment in marketing his film.

Here from the Coast for conferences with U-I distribution vice-president William A. Scully, Dozier declared yesterday that he believes the drop-off in motion picture business from its wartime peak has had at least one good result; it has served to rid production of persons who never had justification for being in it. "Now the more able ones have a better chance." The market for independently-made pictures "looks rosier than it has in a long time," Dozier added.

He deplored Hollywood's propensity for "cycle production," but admitted he will contribute to the current commedy cycle another one, "A Very Remarkable Fellow," which will star his wife, Joan Fontaine. It will be his third for U-I release under a three-picture deal. He said he could not say at present whether his deal will be renewed. The producer said he expects to make a picture in England, possibly this summer.

Dozier declared that film writers should be made financial partners in film stories which they prepare, with a profit-sharing plan serving as part of a salary.

Conviction Reversal Is Asked by Trumbo

WASHINGTON, Nov. 17. — Counsel for Dalton Trumbo, screen writer convicted of contempt of Congress, today asked the U. S. Court of Appeals for the District of Columbia to reverse his conviction on the ground that the House Un-American Activities Committee had exceeded its jurisdiction and had put questions to him which violated his constitutional rights.

In a 65-page brief, the attorneys repeated most of the arguments they recently made in asking the Supreme Court to take immediately the companion case of John Howard Lawson, stressing the committee's attempts to curb freedom of the screen.

The government has 20 days in which to answer the Trumbo brief, and the case will then be set for argument. A similar brief for the Lawson appeal will be filed tomorrow or Friday.

See Record Bookings For '20th-Fox Week'

Record feature bookings for "20th Century-Fox Week," which opens on Monday as a highlight of the company's "Spyros P. Skouras 35th Anniversary Celebration," are predicted by drive leaders in all five sales divisions, it is reported here by Andy W. Smith, Jr., general sales manager. Number of bookings are expected to surpass the 10,000 total turned in by the company's 37 branches during the sales drive in 1947, Smith said.

Reviews

"The Kissing Bandit"

(*Metro-Goldwyn-Mayer*) *Hollywood, Nov.* 17

FEW formats have flourished so steadily over recent years as the Joe Pasternak pattern for light, lively, amiable entertainment in song, dance, humor and Technicolor, and here it is again, presenting this time, and with customary sheen and shimmer, the diversified talents of Frank Sinatra, Kathryn Grayson, J. Carrol Naish, Mikhail Rasumny, Mildred Natwick, Billy Gilbert and Sono Osata. And to these are added, in an interpolated dance number which rocked the preview audience, Ricardo Montalban, Ann Miller and Cyd Charisse. Directed with dispatch and a keen sense of timing by Laslo Benedek, the picture measures up to the expectations its billing will instill in the public mind.

The scene of the script, by Isobel Lennart and John Briard Harding, is Old California, when Spain governed the area. Sinatra is seen as the educated son of a famous old brigand known, prior to his execution, as the kissing bandit, by reason of his custom of kissing the fair ladies present in any company which he chose to rob. Naish is the dead parent's faithful lieutenant in brigandry, who drafts Sinatra for leadership of the bandit forces. Miss Grayson plays the Governor's daughter with whom Sinatra, who proves himself less effective in the osculatory department than his dead father, falls in love. The others figure variously in the story, which winds up happily for all concerned, which is proper in light musicals.

The music, which includes eight numbers performed by Sinatra, Miss Grayson and the others, in various alignments, is by Nacio Herb Brown and various collaborators. It is singable, hummable stuff, pleasant to hear and easy to remember. The dances, inclusive of the spectacular Montalban-Miller-Charisse interpolation, were directed with telling skill by Stanley Donen.

Running time, 99 minutes. General audience classification. Release date, not set.

WILLIAM R. WEAVER

"Fighter Squadron"

(*Warner Brothers*)

WITH pictorial vividness and dramatic forcefulness, "Fighter Squadron" captures in terms of human interest one fragment of the story of the U. S. Air Forces during World War II. No women are in this Technicolor production, but there is no shortage of narrative interest. For although the film is styled along a somewhat documentary fashion, it never once loses sight of its story elements. To keep the narrative rolling with interest there is an adroitly-performing cast which includes Edmond O'Brien, Robert Stack, Tom D'Andrea and Henry Hull. This is not just another war picture, but an unusual one. The sole uncertainty about "Fighter Squadron" is whether or not the public is in the mood to accept an out-and-out war film. If it is, this attraction will give unquestioned satisfaction.

For the sake of dramatic focus the film centers on the 17th Squadron of the Third Fighter Group. Interest is aroused from many angles. There is the friendly rivalry between officers O'Brien and Stack, as well as their stern opposition on matters of squadron rules. Then there is D'Andrea, a rascal of a master-sergeant who is always ready with a bag of tricks to butter his own bread or put a figurative decoration on his swelled chest. Henry Hull gives a good performance as "the boss" of the fighter command, beneath whose gruff exterior there is a sensitive heart. Criss-crossing these interests are the hopes, longings and losses of the force itself. These personal aspects are told against the overall needs of the entire squadron with its constant battle with the "high brass" over important tactical questions.

The highlight of the film is reached on D-Day when our planes make their blazing invasion over enemy territory to wreak untold havoc. Army footage of actual combat has been used for many of these scenes, and they are made all the more sharp and impressive by Technicolor.

The film was written and produced by Seton I. Miller; Raoul Walsh directed.

Running time, 96 minutes. General audience classification. Release date, Nov. 27.

MANDEL HERBSTMAN

Fete Eiseman, Abner, Allerhand Tonight

Three newly-promoted distribution managers will be honored at a local industry-sponsored beefsteak dinner to be held this evening at the Ritz Restaurant in Passaic.

The three whom the industry will salute are: Clarence Eiseman, new Warner Metropolitan district manager; Ben Abner, Warner New York branch manager, and Lou Allerhand, M-G-M New Jersey branch manager.

Schreiber Returns to Exhibition; Has 10

DETROIT, Nov. 17.—Nathan Schreiber, who founded the Colonial Department Store here, has retired as a merchant to go back to exhibition. He is operating 10 theatres now, having just purchased a 15-year lease to four in Bay City and one in Saginaw from Harold Bernstein to add to his string.

'Don Juan' Rated 'B' As Legion Reviews 11

"Adventures of Don Juan" has been classified as "B" by the National Legion of Decency in reviewing 11 pictures this week. Classified A-II were: J. Arthur Rank-Universal-International's "Dulcimer Street" and Monogram's "Last of the Badmen."

Rated as A-I were: "False Paradise," "The Gay Amigo," "Sinister Journey," "Strange Gamble" and "A Valiant Hombre," all United Artists; "Gunning for Justice" and "Trouble Makers," both Monogram, and "The Mozart Story," Screen Guild.

New RKO Short Series

A new series of six two-reel comedies to be known as "Comedy Specials" has been announced by Harry Michalson, RKO Radio short subject sales manager. First in the group, "Contest Crazy," starring the late Edgar Kennedy, is now in release.

Coast Production Off Two, to 28

HOLLYWOOD, Nov. 17.—The production index dipped to 28 from last week's 30. Six new films were launched, while eight were sent to cutting rooms.

Shooting started on "Home in San Antone," Columbia; "The Duke of Chicago," Republic; "I Shot Jesse James" (Lippert), Screen Guild; "Mr. Belvedere Goes to College" and "Hard Bargain," 20th Century-Fox; "Africa Screams" (Nassour), United Artists.

Shooting was finished on "Bad Boy," Allied Artists; "Wild Bill Doolin," Columbia; "Counselor at Gun-Law" (Equity), Eagle-Lion; "The Set-Up," RKO Radio; "Highway 13" (formerly "Rolling Wheels"), Screen Guild; "The Life of Riley," Universal-International; "This Side of the Law" and "Colorado Territory," Warner.

Companies Give Aid To FJP Campaign

Film and other amusement companies are fulfilling promises to help the amusement division reach its quota of $400,000 for the Federation of Jewish Philanthropies, Spyros Skouras, president of 20th Century-Fox and chairman for the division's corporate gifts committee, reported here yesterday.

Under the general chairmanship of Fred Schwartz, vice-president of Century Theatres, many committees for the amusement field have been established. In addition to Skouras, other committee chairmen are Malcolm Kingsberg, Leo Brecher, Walter Reade, Jr., Leonard Satz, Max Gordon, Emil Friedlander, Harry Mandel and Leslie Schwartz.

Reade Stresses Need For Local Goodwill

A call to all personnel of Walter Reade Theatres to participate actively in their spare time in civic and welfare activities of their local communities, was issued by Walter Reade, Jr., at a meeting of city and district managers at the New York City home office.

Declaring that "goodwill is our stock in trade," he suggested that all managers re-examine their records of "community cooperation," declaring that "every town has a responsible, progressive organization in which one could do a good job of building up goodwill and respect for yourselves and your theatres."

Baldwin to Speak

Motion picture promotion and exploitation will be discussed by Ted Baldwin, director of exploitation and promotion for Selznick Releasing Organization, in a talk before the Publicity Club of New York next Tuesday evening at the Advertising Club here.

Protestant Film Survey

HOLLYWOOD, Nov. 17.—Subjects such as democracy, moral values and mental health rank high among suggested topics for films to be produced by the Protestant Film Commission, according to a survey conducted among 50,000, churches of various Protestant denominations.

Eyssell Citation

(Continued from page 1)

haracteristic that whenever there is a risis, that is the time to close the anks and press forward."

"We hope the problem of foreign arkets will soon be solved," he said, escribing that problem as "mostly a natter of war dislocations which will radually be straightened out."

Eyssell cited the problem of television competition as being one of longr range, "and perhaps even a more iffi[illegible] situation." However, he added, "I believe that the combination of ighting spirit and teamwork will turn elevision into an ally of our ndustry."

Eyssell declared that "our whole future as an industry depends upon winning and holding the goodwill of the public. The only way we can do it s by knowing what the people want, nd what they want from theatres is ood pictures—good shows."

Pollster George Gallup was a guest peaker. He observed that it is much easier to obtain comparatively correct eactions of the public to a motion picture plot than it is to pick a winner in an election. He picked Dewey. Nelson Rockefeller was another speaker.

A reception preceded the dinner at which Cohn made an address of welcome, followed by an invocation by Dr. Christian Whestphalen. A silent tribute was given to departed Pioneers. Supreme Court Justice Ferdinand Pecora then inducted 56 new members, largest class of candidates in the organization's history.

Entertainment during the dinner was provided by Radio City Music Hall's Glee Club, and by Willie Howard, Joe E. Lewis, Abe Burrows, Peter Lind Hayes and Milton Berle.

More Trouble Seen

(Continued from page 1)

more than a two-week Loop run for reissue product, but Thomas McConnell, Jackson Park attorney, states he will wait until the Circuit Court of Appeals gives its opinion on RKO's contempt appeal before he takes further action.

McConnell contends that playing of the two films constitutes a first-run showing. Regardless of reissues, and if the decision by the Appeal Court is in his favor, he will institute further contempt action. The two films have grossed almost $45,000 in two weeks described as phenomenal for this house.

Loew Dividend Set

Loew's, Inc., declared a regular quarterly dividend here yesterday of 37½ cents per common share, payable on Dec. 31 to stockholders of record on Dec. 10.



Review

"The Man from Colorado"

(*Columbia*)

AN elaborate Technicolor production treatment adorns Columbia's "The Man from Colorado," an outdoor drama of personal feuds and emotional conflicts set in the Colorado territory at the close of the Civil War. The story is infused with a good deal of action and excitement which should give it a popular reception among general audiences, despite an occasional plot implausibility. Glenn Ford, William Holden and Ellen Drew form a dramatic triangle around which most of the action swirls.

The screenplay, by Robert D. Andrews and Ben Maddow, has Ford emerge from the war as a colonel with a mad lust to kill. Holden, his best friend, is aware of this, but believes that Ford will soften in time. Both become friendly rivals for the hand of Miss Drew, and Ford is the eventual victor. By this time, Ford has become a federal judge and Holden his marshall, but Ford's brutal instincts, instead of abating, expand. Subsequently, Ford's cruelty, plus his stern interpretation of the law, force many townsmen into outlawry and finally even Holden joins the "outlaws."

Henry Levin, who directed, has placed the story for brisk action. The climax forms a minor spectacle in which Ford is killed by the side of a blazing building which falls upon him while fighting an adversary. By now, Miss Drew, repelled by Ford's mania, has fallen in love with Holden. Miss Drew is always a visual embellishment against the frontier background, while Holden makes a dashing man of rugged principles. Ford gives a forceful performance, although at times he is called upon to speak phrases which sound strained. Jules Schermer produced, from an original story by Borden Chase.

Running time, 99 minutes. General audience classification. For December release. M. H.

Ernst Wants

(Continued from page 1)

ing his testimony on monopoly problems.

"Five companies own 65 per cent of the theatres," Ernst said. "After 10 years of litigation, the Supreme Court has said 'These are evil people'. It'll be another 10 years before we break them up.

"What's the use of leaving divestiture or divorcement to some judicial body? Congress should take action. If it doesn't, one of these key companies is going to sell its stock to somebody's uncle or cousin or set up a separate company like RKO is doing, and what has the whole thing accomplished to help the small producer or small exhibitor?"

Among other things, Ernst advocated that somebody in Washington be given the job of "slugging all the way for small business." At another point, he attacked the use of opinion polls by film firms, radio, newspapers and other media. He termed the polls "the greatest force existing today for reducing all presentation of ideas to the lowest common denominator."

Monroe Suit Status Of Diana Changed

CHICAGO, Nov. 17.—Diana Theatre Corp., operator of the McVickers Theatre, has been dropped as a defendant in the Monroe Theatre suit in an amended complaint filed by attorney Seymour Simon, but who names the corporation as co-conspirator. Reason is that Diana was not named a defendant on the New York Paramount suit basis, on which the case will be argued. Hearings are scheduled for April 4.

B'nai B'rith ADL Salute

New York's Cinema Lodge of B'nai B'rith will salute the Anti-Defamation League in a special program at the Hotel Astor, next Tuesday evening, S. Arthur Glixon, president of the Lodge, announces. Participating will be Mayor William O'Dwyer; Judge Meier Steinbrink, national chairman of the ADL; Jinx Falkenburg McCrary and Tex McCrary, and Elmo Roper, researcher.

MPAA Meeting

(Continued from page 1)

tionship of television to films, with reports presented by Earl I. Sponable, president of the Society of Motion Picture Engineers, and Loren F. Ryder, former president of that organization. Reports and discussions on video were described as having been "generalized" by one of the executives present.

The industry's economic problems also were examined again, it was said, and again no decisions or conclusions were reached.

Johnston said that the originally-planned three-day meeting, scheduled to conclude today at the Paramount home office board room, might be continued on the West Coast.

Arthur Lockwood, president of Theatre Owners of America, and Gael Sullivan, executive director, both were present yesterday to participate in the discussions of television.

Others in attendance were:

Paul Raibourn, Nicholas M. Schenck, Barney Balaban, Nate J. Blumberg, Ned E. Depinet, Spyros P. Skouras, Samuel Schneider, Jack Cohn, Abe Schneider, Albert Warner, Theodore Black, J. Robert Rubin, Austin C. Keough, W. C. Michel, Richard Hodgson, J. J. O'Connor, Dr. Isidore Lubin, Ralph Austrian, Francis S. Harmon, F. W. DuVall, Sidney Schreiber and Robert Chambers. Johnston presided.

N. J. Allied

(Continued from page 1)

by Jersey Allied president Edward Lachman, who appointed Wilbur Snaper chairman of the unit's next convention, slated for Sept., 1949, in Atlantic City.

The meeting was addressed on behalf of the Will Rogers Memorial Fund by David Levy of Universal-International; Nat Cohen, Columbia, and Clarence Eiseman of Warner. Jersey Allied pledged support of the fund.

Irving Dollinger, chairman of the organization's conciliation committee, reported "very satisfactory progress with the first case that has come before his committee."

Ascap Policy on Fees

(Continued from page 1)

to license fees from all theatres not party to the New York case.

Ascap reports that many exhibitors, presumably acting on the recommendation of Theatre Owners of America, have requested that fees paid to the Society be placed in escrow pending outcome of the case which, if lost by Ascap, would end collections from theatres everywhere in the country. Other exhibitors have notified the Society that, while license fees are being withheld, they are being placed in separate accounts, awaiting outcome of the litigation. Still others are continuing their payments to Ascap without question, the Society reports, and other exhibitors simply have discontinued payments.

Obviously, there is no exhibitor unity in dealing with the subject.

Within the next few days Ascap will begin the refunding to ITOA plaintiffs in the New York case of a total of approximately $10,000 in license fees received from them since last March 15 and held in a separate account. The refunding is by agreement with the plaintiffs made during the trial of the case in District Court here and was contingent upon a decision being handed down against Ascap.

Dore Schary

(Continued from page 1)

such a backlog at present, but expects to have that many films in reserve in a few months, he reported.

He said that employment of production personnel at M-G-M's studios is higher this year than it was last year. He explained, however, that overall employment is currently below what it was last year.

Star values, Schary said, are still of prime importance at the box-office. "That's the mandate of the public," he added, indicating that he believes story values run second in the public's estimation.

By cutting costs and gearing product for the domestic market, company can get a bigger return faster on its financial investment, Schary believes. He said he is inclined to feel that the current and forthcoming run of war pictures coming out of Hollywood will realize good profits because "15,000,000 men were in uniform during the war." He believes they are "ready to reexamine their experiences" on the screen.

Schary will return to the Coast tomorrow.



IT'S A

SOUTH....

BIRMINGHAM, Melba... NEW ORLEANS, Joy... MEMPHIS, Malco

EAST....

CHICAGO, Apollo... DETROIT, Fox... CALGARY, Grand... WINNIPEG, Garrick

BOSTON, Paramount & Fenway... TORONTO, Imperial ...ATLANTIC CITY, Steel Pier... UTICA, Olympic

NORTHWEST

LOS ANGELES, Orpheum, El Rey, Belmont, Vogue & Culver... VANCOUVER, Vogue... SEATTLE, Orpheum... SPOKANE, Orpheum

STAMPEDE!

STARRING

Joan LESLIE · James CRAIG · Jack OAKIE



in Cinecolor!



Another hit for the BILL HEINEMAN DRIVE!

JOAN LESLIE · JAMES CRAIG · JACK OAKIE in **"NORTHWEST STAMPEDE"**
with CHILL WILLS · VICTOR KILIAN and The Dog, "FLAME" in CINECOLOR
Executive Producer David Hersh · Produced and Directed by Albert S. Rogell · Story and Screenplay by Art Arthur and Lillie Hayward
Suggested by Saturday Evening Post Article, "Wild Horse Roundup" by Jean Muir · An EAGLE LION FILMS Production

FILE COPY
DO NOT REMOVE

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 24 NO. 98 NEW YORK, U.S.A., FRIDAY, NOVEMBER 19, 1948 TEN CENTS

Mostly First Runs for 20th In Decree Plan

Would Operate Only 30 Subsequents in L.A. Area

Twentieth Century-Fox would retain only first-run theatres throughout the country, except in Los Angeles, where it would continue operation, also, of about 30 subsequent-run houses under a plan which the company considers proposing to the government for a consent decree settlement in the government's anti-trust action.

Both a 20th-Fox spokesman and Department of Justice attorney Robert Wright, the latter here from Washington, said yesterday that a formal presentation of the proposed settlement has yet to be made by the company. Wright, when asked about the 20th-Fox position regarding a separate decree, said that "talks are always going on."

At 20th-Fox, the idea of retaining first-runs in all cities except Los Angeles, where both first-runs and subsequents would be held, was identified

(*Continued on page 6*)

4 Industry Shorts Ready

Early release of four institutional film industry short subjects to all exhibitors was announced here yesterday at the conclusion of the three-day meeting of top executives of member companies of the Motion Picture Association of America.

Studio officials will participate when the company presidents and Eric A. Johnston, MPAA president, re-convene in Hollywood on Dec. 15-17 for a continuation of the conferences on economics and other problems. Consideration of the program of public re-

(*Continued on page 3*)

Youngstein Head of Films' 'Dimes' Drive

Max E. Youngstein, advertising publicity vice-president of Eagle-Lion Films, will serve as chairman of the theatre division for the 1949 March of Dimes, it was announced by Louis Nizer, Greater New York chairman.

Britain Drops Plan for Government-Owned Studio

LONDON, Nov. 18.—Harold Wilson, president of the Board of Trade, today told the House of Commons that "It has been decided that under existing circumstances it is not expedient at the present time for the government to build or acquire state-owned or state-managed motion picture studios."

Wilson's statement to Commons was made immediately following publication today of his special committee's report, following study, on a proposal that the government provide studio facilities for independent producers in need of them. Highlights of the committee's report, which pointed up the uncertainties of such a government venture, were published in MOTION PICTURE DAILY yesterday.

Commenting on his committee's suggestion that the government give con-

(*Continued on page 3*)

Para. Upheld in Its Brandt Fraud Suit

Motion of Harry Brandt and associated defendants for dismissal of Paramount's action alleging fraudulent reports on percentage pictures has been denied by N. Y. State Supreme Court Justice Hofstadter.

In its opinion denying the defendants' motion the court held that Paramount's complaint states a good cause of fraud action and not merely one for breach of exhibition contracts. The complaint alleges damages for both underpayments of percentage license fees and the granting of subsequent flat rentals for less than the

(*Continued on page 6*)

Mecca Bldg. Moving Day Set for June

A committee of tenants of the Mecca Building, 1600 Broadway, virtually all representing motion picture enterprises, have concluded an agreement with National Screen Service, new owners of the building, to retain their present office space in the building until next June.

National Screen purchased the building recently after a brief ownership by Loew's, Inc., and had sought early possession for its own use.

M. J. Kandel, head of Ideal Pictures and Bonded Film Storage, a Mecca Building tenant for many years, recently purchased the Film Center Building, 630 Ninth Ave., which presently houses the National Screen offices here. He has agreed to let National Screen remain in his building until he gets out of National Screen's building.

Arnall Seen Slated For SIMPP Office

HOLLYWOOD, Nov. 18. — Former Governor Ellis Gibbs Arnall of Georgia today loomed as a possible successor to Donald M. Nelson in the presidency of the Society of Independent Motion Picture Producers. Nelson vacated the position last year.

Following conferences today between Arnall and the SIMPP executive committee, the committee issued a formal statement declaring that negotiations were held "looking to an association" of Arnall with SIMPP with-

(*Continued on page 6*)

Conciliation Board Set for Kansas City

KANSAS CITY, Nov. 18.—The board of the Kansas-Missouri Theatres Association, meeting here today, set up a grievance committee to which any exhibitor in the area, whether a member of the association or not, is welcome to ask for a hearing of a complaint against a distributor, in an effort toward adjustment and avoidance of litigation.

Members of the committee are: Harley Fryer, Jay Means, Ralph Larned and George Baker. Alternates are Glen Hall, William Bradfield, H. P. Doering and Marcus Landau. Elmer Bills, president of the associa-

(*Continued on page 3*)

Albany Exhibitors to Meet on Conciliation

ALBANY, N. Y., Nov. 18.—Harry Lamont, temporary chairman of the Albany unit of the Theatre Owners of America, disclosed today that Gael Sullivan, executive director of the national TOA, will discuss tax matters and conciliation plans at a meeting of Albany exchange area exhibitors at Jack's restaurant, at a luncheon-meeting here on Dec. 1. All exhibitors in the territory have been invited.

If exhibitor reaction is favorable, a grievance board to consider complaints against distributors probably will be named that day. Sullivan will talk on both the TOA and Smith-Berger conciliation plans.

It will be Sullivan's first visit here in his TOA post.

Postpone U.S. Suit Hearing Until Dec. 13

Attorneys Given More Time to Prepare Data

Federal Judge Augustus N. Hand yesterday agreed to a new postponement of the remanded hearings in the industry anti-trust suit from Nov. 29 to Dec. 13.

Application for the postponement was made in Judge Hand's chambers and was unopposed by the government. Assistant Attorney General Robert L. Wright, in charge of prosecution of the case for the government, was in New York from Washington yesterday.

The postponement was sought on the grounds that counsel for the government and 20th Century-Fox, Warners and Paramount would be unable by Nov. 29 to complete data concerning theatre partnership arrangements and theatre ownership for the purpose of agreeing upon or contesting divestiture moves. The hoped-for agree-

(*Continued on page 6*)

$9,119,613 20th-Fox Net

Twentieth Century-Fox yesterday reported a net profit of $9,119,613, after all charges, for the 39 weeks ended Sept. 25, compared with $10,608,098 for the corresponding period in 1947.

After deducting dividends on prior and convertible preferred stocks, the net equalled $3.12 per share on the 2,769,100 shares of common outstanding, against $3.65 a share on the 2,768,950 shares in 1947. All subsidiaries, including National Theatres

(*Continued on page 6*)

Agnew and Casanave Plan Video Venture

Neil F. Agnew, who resigned as president of Selznick Releasing Organization on Sept. 1, and Charles L. Casanave, formerly associated with National Screen Service, are expected to enter the television field jointly. Agnew already has established an office with Casanave in New York.

Personal Mention

WALTER WANGER will leave New York tonight by plane for the Coast.

•

HARRY KALMINE, Warner Theatres president, and RUDOLPH WEISS, head of the real estate department, will return to New York today from Washington, Baltimore and Hagerstown. W. STEWART MCDONALD, circuit vice-president, is due back here on Monday from Chicago.

•

JAMES R. GRAINGER, Republic distribution vice-president, and WALTER L. TITUS, JR., division manager, are due back here Monday from Boston. STEVE EDWARDS, advertising-publicity director, who left New York yesterday for Minneapolis, will also return on Monday.

•

BERNARD MACK, head of Filmack's production department, and son of Filmack president IRVING MACK, and his wife have become parents of a daughter, LAUREL ELLEN, born this week in Chicago.

•

LEWEN PIZOR, Philadelphia exhibitor and exhibitor organization leader, is back at his desk after undergoing an appendectomy at Temple Hospital in that city.

•

STANTON GRIFFIS, U. S. Ambassador to Egypt and chairman of the Paramount executive committee, has arrived in New York from Cairo.

•

A. D. AUBRY, vice-president of Vog Film, will fly to Paris Sunday from New York.

•

MRS. LEO SPITZ is here from Hollywood en route to the Near East as an observer for UNESCO.

•

JACK BERKSON of Screencraft Pictures is in Buffalo from here.

Schaefer Heads USO Film Division Drive

George J. Schaefer has been named chairman of the motion picture division of the New York USO campaign for funds for Veterans Hospital Camp Shows. James Sauter is entertainment industry chairman, Emil Friedlander is general chairman. Abe Lastfogel and Walter Hoving are honorary chairmen, and the following head additional entertainment divisions:

Edgar Kobak, radio; Lawrence Phillips, television, John Shubert, stage; Lou Walters, night clubs; Arthur Judson and Manny Sachs, music; Dan Topping, sports; George Heller, unions.

Paramount Anniversary

When the New York Paramount embarks on its 23rd year, next Wednesday, with "Miss Tatlock's Millions" and a stage show headed by Stan Kenton and his orchestra, the theatre will unveil a giant new electric marquee. Since 1926 the Paramount has accommodated some 60,000,000 patrons. Robert M. Weitman is managing director.

Insider's Outlook

By RED KANN

THE ninth annual dinner of the Motion Picture Pioneers at the Waldorf Wednesday evening was voted its best on all sides.

There was a peak attendance for this convivial gathering, a commonsense, get-back-to-work address by Gus Eyssell, managing director of the Music Hall and guest of honor, a "humble pie" talk by Dr. George Gallup, and a star-studded show for laughs.

■

Jack Cohn had finished sketching in preliminary details about a Pioneers' plan to raise funds for members in distress when Gallup's turn came. "I've only been in the industry 12 years, but I wish it had been 25 so as to qualify as one of those pioneers in distress. If I had collected a small royalty on all the jokes about polls in the last few weeks, I probably would have been in a position to retire."

Gallup was frank and revealed quite a sportsmanlike ability to take it on a chin already badly battered. His wide miss-out on the Presidential elections was not the first mistake, he said, in observing he stood "in the presence of some of my good, and some of my former, clients." No. 1 boner in this industry was "Kitty Foyle," which his Audience Research organization had advised RKO would do average business and proved one of the biggest attractions of its season. No. 2 was his prediction "Sister Kenny" would do far better than it did.

Never fazed, he urged industry attention on the 30-50 year-old brackets, declaring that box-office grosses would increase $500,000,000 a year if those groups were captured on the basis of attendance once a week. Good pictures are one prerequisite, he pointed out. Another is to tell those groups about the good pictures at the national and local levels. He forgot to add distributors ought to be telling exhibitors as well.

"I think that explains everything," was the dry comment of Hal Horne, master-of-ceremonies, as Gallup concluded.

■

Peter Lind Hayes, nightclub entertainer, apologized to Nate Blumberg for "The Senator Was Indiscreet," in which he played one of the leads. "Universal decided to keep the picture and release me instead," he cracked.

Of a whole series of yarns about Joe Frisco, this was one of the best: How Frisco went into a rave over a picture he made for Republic. "It was terrific in the projection room," he said. "Yeah, but how many projection rooms can it play?" asked Solly Violinsky.

Introducing Eyssell, Cohn told of long gone days when he tried to get by Gus, who then was assistant to Frank Newman, Sr., in Kansas City. "Things haven't changed much now that Gus runs the Music Hall. I'm still trying to get by him and into the theatre."

■

Milton Berle arrived late and closed the evening. "There's Winthrop Rockefeller. How'ya, Mr. Rockefeller? Need any money?" Berle on Cohn: "I know him well. We have our cleaning done at the same place —the Jamaica racetrack." On Gallup: "He's just had the biggest reversal since Serutan."

■

One RKO executive did a lot of table hopping. "I'm shaking hands with everybody. How do I know who's going to buy the theatre stock?"

■ ■

The 20th-Fox sales force is being told: "Within a matter of days, president Spyros P. Skouras is expected to officially announce the signing of an important industry executive who, *among other things,* will supervise the activities of this corporation's far-flung publicity, advertising and exploitation organization."

The executive, of course, is Charlie Einfeld. The "other things"? Don't exactly know, but the report is Einfeld will function on top policy level.

REX HARRISON LINDA DARNELL
RUDY VALLEE BARBARA LAWRENCE
"UNFAITHFULLY YOURS"
A Twentieth Century-Fox Picture
ON VARIETY STAGE — PETER LIND HAYES · MARY HEALY · JACK COLE AND HIS DANCERS
ON ICE STAGE — FIESTA
ROXY 7th Ave. & 50th St.

Robert Mitchum
Barbara Bel Geddes
Robert Preston
in
BLOOD ON THE MOON
BRANDT'S GLOBE
BROADWAY AT 46TH STREET

NEW YORK THEATRES

RADIO CITY MUSIC HALL
ROCKEFELLER CENTER
JOAN FONTAINE-JAMES STEWART
"YOU GOTTA STAY HAPPY"
EDDIE ALBERT
A WILLIAM DOZIER PRESENTATION
A UNIVERSAL-INTERNATIONAL PICTURE
SPECTACULAR STAGE PRESENTATION

JOAN OF ARC starring INGRID BERGMAN
COLOR BY TECHNICOLOR
CAST OF THOUSANDS
VICTORIA B'WAY at 46th ST

DARRYL F. ZANUCK presents
OLIVIA de HAVILLAND
the Snake Pit
Directed by ANATOLE LITVAK · Produced by ANATOLE LITVAK & ROBERT BASSLER
RIVOLI B'way & 49th Street

"SEALED VERDICT"
starring RAY MILLAND with FLORENCE MARLY
A Paramount Picture
In Person FRANKIE LAINE and CONNIE HAINES
DAVE BARRY THE CLARK BROTHERS and Their Orchestras
JERRY WALD and His Orchestra
PARAMOUNT TIMES SQUARE

SAMUEL GOLDWYN presents
DANNY KAYE
VIRGINIA MAYO
"A SONG IS BORN"
COLOR BY TECHNICOLOR
Broadway at 45th Street ASTOR Cont. from 8:45 AM Midnight Show

J. Arthur Rank presents
"THE RED SHOES"
Color by Technicolor
BIJOU THEATER, 45th Street West of Broadway
All Seats Reserved, Mail Orders
Twice Daily
Extra Matinees Saturday and Sunday
Late Show Saturday Evening 11:30
An EAGLE LION FILM Release

IDA LUPINO · CORNEL WILDE
CELESTE HOLM · RICHARD WIDMARK
ROAD HOUSE
20th CENTURY-FOX
DOORS OPEN 8:30 A.M.
BRANDT'S
MAYFAIR
7th Ave. & 47th St.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

Triple Anti-Trust Funds, Berge Asks

WASHINGTON, Nov. 18.—Wendell Berge, a former top trust-buster, urged Congress today to triple or quadruple the annual appropriation of the Justice Department's anti-trust division as the best method of securing adequate anti-trust law enforcement and blocking what he described as the growing concentration of economic power.

The suggestion came from the former Assistant Attorney General in charge of the anti-trust division, in testimony before the monopoly hearings of the House Small Business Committee. Allied States Association general counsel Abram F. Myers is scheduled to testify tomorrow, along with former trust-buster Thurman Arnold.

Berge said the anti-trust division should get an annual appropriation of somewhere between $10,000,000 and $15,000,000 a year, compared with its present $3,400,000.

He told the House group he believed the government should seek two general objectives under the anti-trust laws: It should attack by divestiture or dissolution actions those corporate structures which in and of themselves have attained the power to exclude competitors from the market, and it should provide a broader enforcement against conspiracies and agreements among nominal competitors to fix prices, limit production and otherwise refuse the public the benefits of real competition. Both objectives he pointed out, require large and well-trained staffs.

John Howard Lawson Appeal Brief Filed

WASHINGTON, Nov. 18.—The brief appealing the conviction of John Howard Lawson for contempt of Congress was filed today with the U. S. Circuit Court of Appeals for the District of Columbia. It differed in one major respect from the brief filed yesterday for Dalton Trumbo, convicted on the same charge—it was longer. Defense attorneys took 151 pages to give their reasons why Lawson's conviction should not stand; they did the same job for Trumbo in a terse 65-page brief.

Jackter Is Named Sales Drive Head

Rube Jackter, Columbia assistant general sales manager, has been named chairman of the committee in charge of the company's current playdate and billing drive, which runs through Feb. 17. The drive will be confined to district branch managers and salesmen and will not include bookers and office managers, as the company previously announced.

Screen Writers Elect Seaton '49 President

HOLLYWOOD, Nov. 18.—Screen Writers Guild members have elected George Seaton president, Don Hartman, Oliver H. P. Garrett and Wells Root vice-presidents, Karl Tunberg secretary and Valentine Davies treasurer, for 1949.

George P. Moore, 77

BOSTON, Nov. 18. — George P. Moore, 77, owner-operator of Cape Cod theatres, died suddenly last night.

Hollywood Will Attend Inaugural

Washington, Nov. 18.—A Hollywood delegation will attend President Truman's inaugural on Jan. 20, according to actor Melvyn Douglas, head of the inaugural film sub-committee.

He said he will appoint persons who worked for Truman during the campaign, including actors Ronald Reagan and Gregory Peck, producers George Jessel and Bryan Foy, and IATSE official Roy Brewer, among others.

Westrex Says World Favors U. S. Films

Predominant popularity of American pictures is a note generally stressed in reports from 18 foreign managers of Westrex Corp., theatre and studio foreign affiliate of Western Electric, who are here for conferences. Theatre attendance, according to most reports, is down from the post-war level, but is still fairly good by normal standards.

In some countries there has been a considerable building of new theatres, while in others, shortages of materials and funds have hampered or prevented construction. In all countries there has been an interest in theatre modernization, but import restrictions in some countries make it impossible to obtain necessary equipment.

The 18 managers and their territories are as follows: H. E. McFarland of the Indonesian, Malayan and Siamese areas; J. J. de Boer, Cuba; D. D. Wight, China; Robert Hill, Australia; R. R. Abarbanell, Philippine Islands; Stewart Glass, Eire; George F. Van Weyenbergh; Belgium; H. T. Petersen, Denmark; Harro Zeppelin, Argentina; W. H. Meisel, Puerto Rico; F. H. Gildemeyer, Brazil; R. F. Crews, India; B. W. Budtz, British West Indies; J. G. van Erk, Holland; William E. Kollmyer, China; Dennis L. Smith, Venezuela; and Miles A. Goldrick, England, accompanied by J. H. Riley, chief engineer.

Companies Will Get $175,000 from Japan

WASHINGTON, Nov. 18.—The U. S. Army's program for underwriting convertibility of the cost of distributing films in the Far East will return about $175,000 in American currency to U. S. companies between now and June 30, 1949, an Army spokesman revealed here today.

Even more important, he said, in the budget being prepared for the year ending June 30, 1950, the Army will seek double the amount it now has for guaranteeing costs of all information media, and "films may benefit more than other media if we get the increase," it was said.

The Army asked for $1,700,000 this year for the guarantee program, but was cut to $850,000 by Congress.

RKO Crew to Germany

Part of an RKO Pathe crew will leave for Germany this weekend to obtain footage for a "This Is America" subject. Permission has been granted by the Army.

U. K. Drops Plan

(*Continued from page* 1)

sideration to granting facilities for the erection of additional stages at existing studios, providing they would be available to free-lance producers, Wilson said he thought the suggestion was a good one and said he is considering proposals of this kind, rather than those for a government owned or operated studio.

Wilson added that he would have regard not only for the situation of independent producers in considering such proposals but also for the possibility that, if such facilities were available, they might encourage the introduction of improvements in production technique of value to the entire industry.

Members of Commons asked Wilson for an understanding that he would not incur the expense of providing additional stages while a vast amount of studio space remains unused.

Wilson claimed that that was implied in his earlier statement but repeated that he wouldn't rule out the possibility of granting building facilities to people already in the trade if their plans embodied the latest ideas in production technique.

Emanuel Is Elected Phila. Variety Head

PHILADELPHIA, Nov. 18.—Edward Emanuel has been elected chief barker of the local Variety Club, Tent No. 13, Hal Cohen and Meyer Adelman are his assistants, Ben Biben is the new treasurer and Harry Tenneys is the new property manager.

Corwin May Get Four WB Houses on Coast

HOLLYWOOD, Nov. 18.—Discussions are in progress for the acquisition by Sherrill Corwin of three Warner theatres in Santa Barbara and possibly one Warner neighborhood house here.

Bateman to SGP Meets

HOLLYWOOD, Nov. 18.—F. A. Bateman, Screen Guild Productions' general sales manager, is in Seattle conferring with circuit executives and buyers and presiding over a sales meeting. Before his return here next Thursday he will hold sales meetings in Portland, Salt Lake City and Denver.

Two in Yonkers Deal

Harold Friedman has leased the Terrace and Kent theatres, in Yonkers, to Donald McConville and Burton Astor. The former is the son of Joseph McConville, president of Columbia Pictures International, and the latter the son of the Columbia sales executive.

Army Show for Opening

Promoting the premiere of Warner's Technicolor film, "Fighter Squadron" at the Strand today, the Army Air Force, with whose cooperation the film was made, will conduct an aviation exhibit in front of the theatre today.

In WB London Post

LONDON, Nov. 18.—Dave Sugarman, recently appointed London branch manager for Warner by managing director Arthur S. Abeles, took his post this week after several years with Eros films in a similar position.

organize a St. Louis area conciliation board.

Pauley Would Upset Warner Video Deal

WASHINGTON, Nov. 18.—Ed Pauley's Southern California Television Co., has asked the Federal Communications Commission to reconsider its decision allowing Dorothy Thackery to sell to Warner Brothers, at the package price of $1,045,000, her San Francisco and Los Angeles AM broadcasting stations and a construction permit for a television station at Los Angeles,

Pauley had asked the FCC to require a breakdown in the price so that he could bid for the television station, but the FCC approved the package deal. Pauley now asks the Commission to change its mind.

Recover Three Stolen Prints on the Coast

West Coast investigation by the Federal Bureau of Investigation of alleged illicit distribution of 16mm. prints has resulted in the recovery of three films in Vallejo, Cal., it is reported here by Sargoy and Stein, counsel for distributing companies in copyright matters. The prints, which were made for use by the Armed Services, are Warner's "Yankee Doodle Dandy," M-G-M's "Young Tom Edison," and Universal's "The Beautiful Cheat."

Ontario To Punish Power Ban Violators

OTTAWA, Nov. 18.—Fines from $100 to $500 will be imposed on exhibitors and other businessmen who violate the power-saving regulations invoked by the Ontario Hydro-Electric Power Commission and the Ontario government. Lighting considered as non-essential during the emergency includes outdoor signs of theatres, signs and marquees.

4 Industry Shorts

(*Continued from page* 1)

lations which was slated for the New York parleys was put off until the Hollywood meeting.

The four shorts are: "Let's Go to the Movies," "This Theatre and You," "Movies Are Adventure" and "The Art Director."

The industry's national distribution committee, which is headed by Robert Mochrie, RKO Radio sales chief, will meet next week to map plans for the release of the subjects.

The shorts were made at the direction of the industry film project committee, until recently headed by N. Peter Rathvon. Y. Frank Freeman, Paramount vice-president, yesterday was named to succeed Rathvon in that post.

Conciliation Board

(*Continued from page* 1)

tion, is chairman, with J. A. Becker, secretary, as his alternate.

The board also set up the basis of a legislative committee, with R. R. Bichele for this area, Homer Strowig for Kansas and C. E. (Doc) Cook for Missouri. They will add a member for each Congressional District in the Kansas City area.

Earlier in the week, the Motion Picture Theatre Owners of St. Louis, Eastern Missouri, and Southern Illinois, disclosed it would approach Mid-Central Allied Independent Theatre Owners, United Theatre Owners of Illinois, and non-affiliated theatres to

...And it will do the same for you!



THIS CAMPAIGN

FRANK

BORZAGE'S

production of

MOONRISE

starring

DANE CLARK · GAIL RUSSELL
ETHEL BARRYMORE

WITH

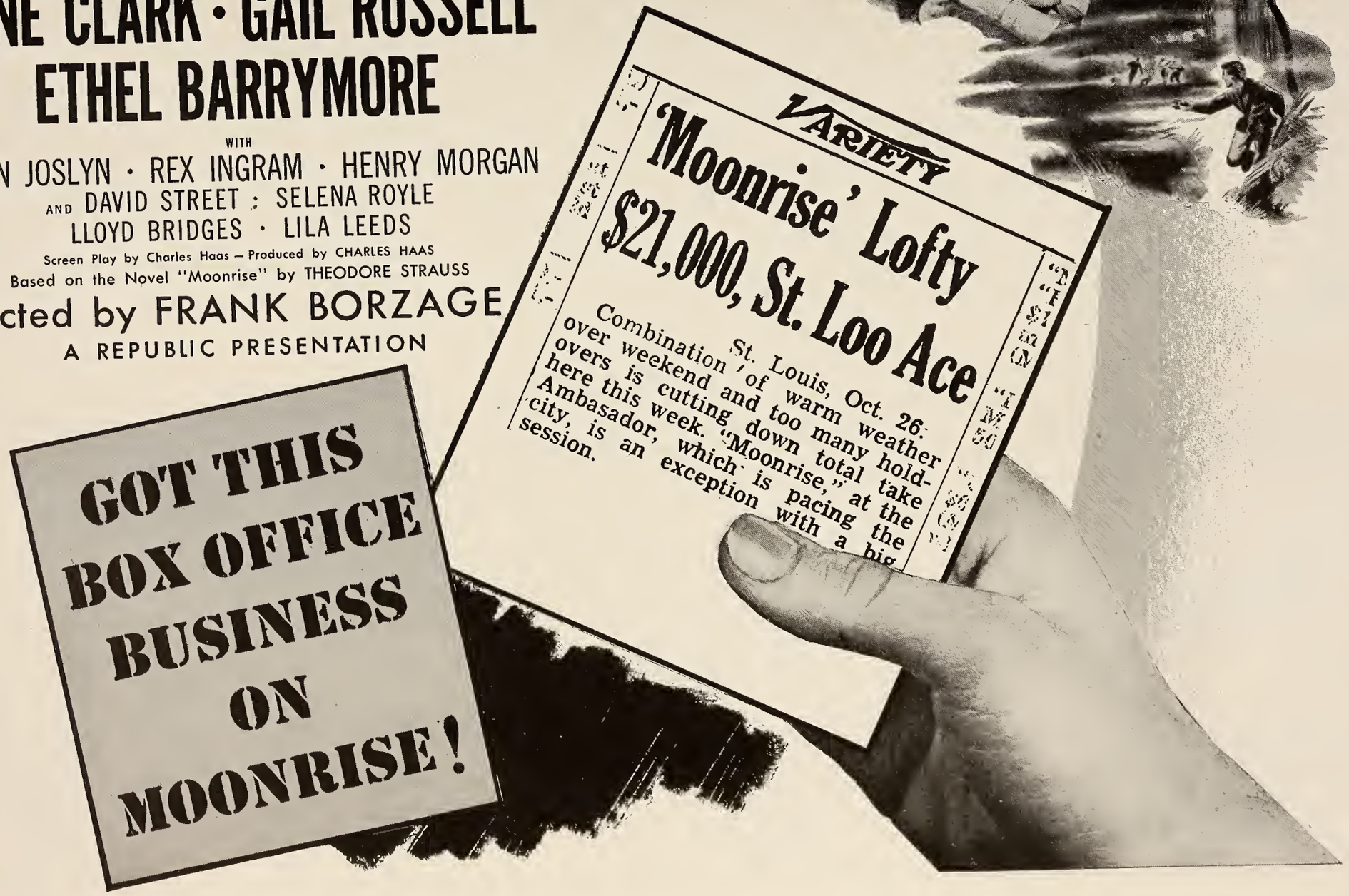
ALLYN JOSLYN · REX INGRAM · HENRY MORGAN
AND DAVID STREET : SELENA ROYLE
LLOYD BRIDGES · LILA LEEDS

Screen Play by Charles Haas — Produced by CHARLES HAAS
Based on the Novel "Moonrise" by THEODORE STRAUSS

Directed by FRANK BORZAGE

A REPUBLIC PRESENTATION





Twice as good as you'd expect...



"YOU GOTTA STAY HAPPY"

20th - Fox Net

(*Continued from page* 1)

Corp. and Roxy Theatre, Inc. are included in the profit figures.

For the third quarter ended Sept. 25, the net was $2,224,954. After deducting dividends on prior preferred stock, this amounted to 75 cents per share on the common. Profit for the second quarter of 1948 was $3,967,817. Profit for the third quarter of 1947 on a comparable basis was $2,206,320.

Gross rentals and theatre receipts for the 39-week period this year was $121,432,769, compared to $130,767,635 last year. Profit before federal taxes and minority interest was $16,707,032, against $20,283,644 for 1947. This year's provision for federal taxes was $6,600,000, compared to $8,100,000.

Amortization of film costs in the 39-week period this year amounted to $38,719,129, compared to $39,056,565 last year.

The board of directors yesterday declared a quarterly dividend of $1.12½ per share on prior preferred stock, payable on Dec. 15 to stockholders of record on Dec. 1. A quarterly dividend of 37½ cents per share on the convertible preferred was also declared, payable Dec. 23 to stockholders of record on Dec. 1. A quarterly dividend of 50 cents per share on the common has been declared, payable Dec. 23 to stockholders of record on Dec. 1.

20th's Decree Plan

(*Continued from page* 1)

as one of numerous plans which the company has considered.

If agreed to by the government, it is understood that it would mean 20th's wholly-owned subsidiary, National Theatres, would be cut to between 225 to 265 houses, from about 600. Where two first-runs were located in the same city both would play the same picture day-and-date.

Because of the sprawling geographical make-up of the Greater Los Angeles area, that city would be exempt from the formula, it is argued.

Charles Skouras, president of National, will return to the Coast today after several days of conferences at the home office on the divestiture proposals.

Wright said that the government will continue to press for total divorcement. He insisted that this is "the only remedy," when asked how he reconciled that with the fact that the court has characterized the government objective as being "too extreme."

Postpone Hearing

(*Continued from page* 1)

ments are designed to reduce hearing time on the case in court.

It was reported, however, that further time for preparing and discussing new consent decree plans with the government is desired also by some of the defendant companies. It is known, for example, that 20th Century-Fox and its affiliate, National Theatres, have such a plan in a well-advanced stage and expect to be able to discuss it in detail with the government in the very near future.

A minor reason for the adjournment was said to be the fact that Whitney North Seymour, trial counsel for Paramount, is appearing in a case in a California court and would not be available for a Nov. 29 hearing here.

Reviews

"Unknown Island"

(*Film Classics*)

A WHOOPING good exploitation picture is offered exhibitors in "Unknown Island." Starting in Singapore, it charts a course of formula adventures over the high seas and into a South Pacific island where a search for prehistoric animals gets underway. Filmed in Cinecolor, it has been given some relatively expensive production values and a reliable cast topped by Virginia Grey, Philip Reed, Barton MacLane and Richard Denning. The screenplay is one that manipulates wild thrill after thrill. It should receive a cheerful greeting from the general public.

The adventure begins when Reed and his fiancee, Miss Grey, prevail upon MacLane to provide his tramp steamer for an expedition to an island inhabited by strange animals. Along the way mutiny breaks out and thus a further bit of excitement is added. Once on the island the adventurers are reduced in numbers by their personal conflicts as well as the enmity of the jungle. At interludes there appear spectacular scenes of dinosaurs, a giant sloth and a herd of Tyrannosaurii. By the time the party is ready to return home, many changes have occurred, among them the switching of Miss Grey's affection from Reed to Denning. On the island Reed seemed more concerned with getting films of the animals than with Miss Grey's welfare, whereas Denning, a reformed alcoholic, makes a heroic show of himself. A gruesome death is meted out to MacLane by the sloth.

Jack Bernhard directed and Albert Jay Cohen produced. The screenplay by Robert T. Shannon and Jack Harvey, was from an original by the latter.

Running time, 76 minutes. General audience classification. Release date not set.

MANDEL HERBSTMAN

"Dulcimer Street"

(*J. Arthur Rank—Prestige—Universal-International*)

PRESTIGE PICTURES' latest J. Arthur Rank offering is a palatable blend of melodrama and insight into character. More often than not, it is an absorbing, active film. But it is a mighty long one—112 minutes—and as such provides a good deal more of wholly British drama than the average American theatre patron might care to absorb in a single sitting. Hence, this Launder-Gilliat production of Norman Collins' novel probably will find its reception here most lucrative at theatres where audience composition departs from "average."

With the possible exception of Alastair Sim, the cast offers no names to sell to U. S. audiences. But from top to bottom, performances sparkle with talent and verve, reflecting the directorial acumen of Sidney Gilliat who co-authored the screenplay with J. B. Williams. Sharing top billing with Sim are Richard Attenborough, Fay Compton and Stephen Murray, with Wylie Watson and Susan Shaw heading a supporting roster of some 52 players.

No. 10 Dulcimer Street, London, is a quiet, respectable apartment house. In it live a number of families and solitaries whose lives become intertwined when Attenborough, a young chap who stumbles into dishonesty and murder for love of a pretty neighbor, is tried in court. All the neighbors rally to the young man's defense, for various reasons, and each individual's character and personality is examined in the light of the tragedy which befell the house. In this and the film's sundry other plot facets, Sim's gem-like performance of a wife-hunting swindler deserves mention as the best in a field of crack portrayals.

Running time, 112 minutes. General audience classification. For November release.

CHARLES L. FRANKE

W. B. England with ABC

Wilbur B. England has been made vice-president in charge of operations of ABC Vending Corp., according to an announcement by Charles L. O'Reilly, president. Prior to going to ABC, England was with RKO Theatres, where he handled the development of concession income in the company's theatres.

Lilygren Elected

SYRACUSE, Nov. 18. — Election of George N. Lilygren as a vice-president of Carrier Corp. in Syracuse, manufacturer of theatre air conditioning equipment, was announced by Cloud Wampler, president.

Arnall - SIMPP

(*Continued from page* 1)

out specifically referring to the presidency. The statement also pointed out that "Arnall has had wide experience in anti-trust prosecutions." Informed observers said the only post in SIMPP not occupied at present is the presidency.

Meanwhile, it was learned the executive committee will meet again tomorrow on the matter.

Para. Upheld

(*Continued from page* 1)

Brandt theatres would have been charged otherwise.

Paramount seeks to recover damages amounting to $573,000 from almost 100 theatres owned or operated by some 167 individuals and corporations named as defendants in the action. The law firm of Phillips, Nizer, Benjamin & Krim represents Paramount. The action was brought 10 months ago.

Justice Hofstadter directed the defendants to answer the complaint within the next 20 days.

The Brandt circuit settled similar claims made by 20th Century-Fox earlier. It has been learned that an out-of-court settlement also was made of the claims presented by Loew's, Inc.

Schary in Panel Talk

Dore Schary, M-G-M production vice-president, participated in a panel discussion on Communications and Human Relations at Columbia University Institute of Human Relations here yesterday, at the invitation of Gen. Dwight D. Eisenhower, Columbia president.

FILE COPY
DO NOT REMOVE

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 84. NO. 99 NEW YORK, U.S.A., MONDAY, NOVEMBER 22, 1948 TEN CENTS

Grosses Hold Firm at Key City Theatres

$14,000 - Plus Continues As the Weekly Average

An analysis of figures received from MOTION PICTURE DAILY field correspondents indicates that grosses during the past two months maintained the even keel established in previous months.

Reports on some 165 key situations show the average income per theatre rose to $14,820 for September from $14,621 in the previous month. Average income for October was $14,797.

Last year, however, $16,282 was registered for September, and $16,506 for October.

During last month, "Sorry, Wrong Number," "Johnny Belinda," "The Loves of Carmen" and "Rope" were the leading grossers. Outstanding in September were "A Date with Judy," "Pitfall," "The Babe Ruth Story,"

(*Continued on page 6*)

SRO Eyes RKO as U. A. Rejects Deal

HOLLYWOOD, Nov. 21.—Selznick Releasing Organization reportedly is endeavoring now to interest RKO Radio in a sales and distribution deal following collapse of negotiations with United Artists at the weekend for a merger of SRO personnel and physical facilities with that company.

David O. Selznick previously had approached RKO and M-G-M on a similar proposal, without success, and according to the current reports is prepared to revise his terms for another try at RKO. It is stated unofficially that his plan would have added about $40,000 weekly to the

(*Continued on page 3*)

AcademyAwardsAre Set for March 24

HOLLYWOOD, Nov. 21.—Academy of Motion Picture Arts and Sciences board of governors has decided to hold the next annual awards presentation ceremonies on March 24 on a major studio sound stage, yet to be chosen, with attendance limited to Academy and industry members. The presentations, to be broadcast by

(*Continued on page 6*)

$20,015,000 Is Para. Net

Paramount estimates its earnings for the nine months ended Oct. 2, at $20,015,000, including $4,729,000 of earnings of partially owned subsidiaries and approximately $1,250,000 of non-recurring income. Earnings for the first nine months of 1947 were estimated at $25,512,000, including $4,336,000 from earnings of partially owned non-consolidated subsidiaries.

Paramount estimates its earnings for the third quarter ended Oct. 2 at $6,445,000, after all charges. This includes $1,417,000 representing Paramount's interest in the earnings of partially owned non-consolidated subsidiaries, and approximately $600,000 of non-recurring income. Earnings for the quarter ended Oct. 4 were estimated at $8,105,000, including a

(*Continued on page 2*)

7-Point TOA Plan On Public Relations

Theatre Owners of America on Friday announced a seven-point public relations program intended to work on an "around the clock" schedule in combatting legislative attacks, taxes, litigation, censorship, juvenile delinquency and cultivating the "passive" audience.

The program is presented in a brochure sent to company presidents and regional and state units of TOA and sets forth that the focal point is the local exhibitor. Announcement of the project was made by Gael Sullivan, executive director. The brochure reports that last spring the group recruited 2,722 exhibitors who distrib-

(*Continued on page 6*)

WB District Heads Meet Here Dec. 1-2

Ben Kalmenson, Warner distribution vice-president, will preside at a meeting of the company's district managers to be held at the home office Dec. 1-2.

Heading the agenda will be a discussion of merchandising plans for "The Decision of Christopher Blake," "One Sunday Afternoon," "Whiplash," "Adventures of Don Juan," and "John Loves Mary," plus features on the company's spring and summer schedule.

District managers who will attend are Clarence Eiseman, New York Metropolitan district; Robert Smeltzer, Mid-Atlantic; Harry Seed, Mid-

(*Continued on page 3*)

New Allied Units Being Organized

Washington, Nov. 21.—Small groups of independent exhibitors "are quietly surveying" unorganized territories with a view to forming new Allied units, it is disclosed in a bulletin issued by national Allied headquarters here.

Allied now has 18 regionals and the application for membership of Mid-Central Allied, St. Louis, will be voted on by the national board at its New Orleans meeting, Nov. 27-28.

Threaten Action to Get Clearance Cuts

MINNEAPOLIS, Nov. 21.—Unless four Minneapolis exchanges back down on their refusal to sell pictures on a 28-day run to the Minneapolis outlying Richfield Theatre, suit to force service and action for damages will be filed against the alleged offenders, it was stated here by United Theatres, operators of the Richfield, and Louis Schwartz, attorney for the independent theatre firm.

It was indicated by Schwartz and Paul Mans, United Theatres executive, that Minnesota Amusement and Theatre Associates, booking and buying combine, also would be named defendants if a suit is filed, charging them with "acting in concert" in keeping product away from the Richfield.

Demands that they offer product to the Richfield were served on Paramount, Warner, Eagle-Lion and Selznick exchanges. Local managers would not comment on the demands.

RKO Radio, Universal, M-G-M and 20th-Fox have not been named.

Cinecolor Costs Cut: Blumenthal

A new development in Cinecolor photography, called "latensification," enables producers to save considerable sums on labor, power and time, it was disclosed here at the weekend by A. Pam Blumenthal, Cinecolor board chairman.

Blumenthal said that "latensification" makes it possible for producers to shoot in Cinecolor at a lighting cost only slightly higher relatively than lighting for black-and-white. Less manpower, less time and less wattage are now also used for filming Cinecolor, Blumenthal said.

He is in New York for conferences with executives of Cinecolor and its subsidiary, Film Classics.

Myers Attacks Federal Court On Para. Case

Charges 'Pressure' Put On U.S. to Speed Trial

WASHINGTON, Nov. 21.—Allied States general counsel Abram F. Myers charged on Friday that Justice Department attorney Robert Wright is "being subjected to very great pressure" by the special three-judge New York court hearing the Paramount case "to make concessions in the interest of saving time." Myers made the statement during testimony before the monopoly hearings of the House Small Business Committee, as he urged creation of special anti-trust courts.

[At the Justice Department offices in New York on Friday, Wright said that he "is not in a position" to comment on the procedures of a case during trial. He added that he had no "immediate interest" in Myers' testimony before the House group.

["No comment" was Federal Judge Augustus Hand's retort to Myers' "pressure" charges.]

Although Myers said he was appearing "strictly on my own and do not advance these views in behalf of

(*Continued on page 6*)

Windsor Files New $600,000 Trust Suit

BALTIMORE, Nov. 21.—The Windsor Theatre Co. of Baltimore on Friday filed a $600,000 anti-trust suit here against the Walbrook Amusement Co., Hilton Theatre Co., and Thomas D. Goldberg, president of the two Baltimore firms.

The suit charges a conspiracy with major distributors since May, 1941

(*Continued on page 3*)

Keller-Dorian Sues Kodak for Millions

Eastman-Kodak and Technicolor were named defendants in a $250,000,000 damage action by Keller-Dorian Color Film Corp., old-line color film firm, in U. S. District Court here on Friday. At the same time Keller-Dorian filed a separate suit against Eastman for $50,000,000.

The action charges a conspiracy to monopolize color photography and

(*Continued on page 3*)

Personal Mention

NORTON V. RITCHEY, Monogram International president, has returned to New York from London.

•

DORE SCHARY, M-G-M production vice-president, and his assistant, ARMAND DEUTSCH, will arrive in Hollywood today from New York.

•

ROBERT M. GILLHAM, Selznick Releasing Organization Eastern advertising-publicity director, will return here today from Florida.

•

BERNARD J. GATES, Latin America supervisor for Monogram International, arrived in town from Peru at the weekend.

•

RUBE JACKTER, Columbia assistant general sales manager, will leave here today for Jacksonville, Atlanta and Charlotte.

•

CHARLES DIETZ, M-G-M promotion representative, has returned to his Detroit headquarters from New York.

•

JASPER H. HONE, president of the Presque Isle Opera House, Presque Isle, Me., is in New York.

•

ARTHUR KELLY United Artists vice-president, is due back at his desk here today from Hollywood.

•

P. F. THOMAS, Altec treasurer, is back in New York from the Coast.

First Case Settled in ITOA Conciliation

First exhibitor complaint here to be handled under the new conciliation set-up of the Independent Theatre Owners Association of New York has been settled "to the satisfaction of the complaining theatre operator," Leon Rosenblatt, who sought relief on clearance, availability and run in behalf of Rosenblatt-Welt theatres.

ITOA's conciliation panel had referred the complaint to Seymour Florin, 20th Century-Fox's New York branch manager, for adjustment.

Rodgers, NCA to Meet On M-G-M Policies

MINNEAPOLIS, Nov. 21.—William F. Rodgers, M-G-M sales vice-president, will meet with North Central Allied president Ben Berger and other members of the organization in Chicago shortly to continue discussions arising from certain NCA objections to the company's sales policy, Berger reported on his return to Minneapolis from New York.

Party for June Fulton

Universal-International will give a cocktail party at Hampshire House here today to introduce to the press June Fulton, South African beauty contest winner, who has been given a screen contract by U-I.

Tradewise . . .

By SHERWIN KANE

UNITED ARTISTS sources have at their finger tips any number of reasons why the proposed sales and distribution deal with Selznick Releasing Organization was unattractive to the company and, therefore, not consummated.

They all boil down to "impractical and unprofitable" (for U. A.) but, in case you're curious, here are a few of them in brief:

The sphere of sales to be allocated to U. A. (the last 10 to 25 per cent of possible distribution revenue) was too limited and was restricted to the smallest grossing possibilities on a non-exclusive basis.

The proposed arrangements and terms were held by some to be out of line with established U. A. policy and, therefore, might create complications with respect to other U. A. distribution deals.

The two-year period of the deal was deemed unsatisfactory, and past friction between Selznick and U. A. was uppermost in the minds of some.

The deal assured U. A. no certain profit, nor did it guarantee it against loss. SRO was to share 12 per cent of an overhead of $82,000 weekly and was to provide a theoretical 25 per cent of a total gross of $19,000,000. Thus, U. A. was to supply 75 per cent of the gross while assuming 88 per cent of the responsibility for producing it. SRO's costs would be reduced from 39 per cent to 12 per cent, but some felt that there was insufficient assurance that U. A. would be able, as a result of the deal, to reduce its costs in anything like that percentage, if at all.

So Selznick is shopping elsewhere.

• •

Here is a top executive's capsule appraisal of the three-day conference last week of industry leaders meeting as MPAA directors:

"We compared notes on how bad things were and scared the hell out of each other doing it."

Burden of the three days of meetings was costs and revenue prospects. The consensus was that neither is favorable—to resort to an understatement. The implication was that further economies are required on the part of most of the companies, particularly those whose production-distribution operations have not been profitable and who are faced now with divestiture of important theatre operations which heretofore have helped to brighten their overall fiscal picture.

For those, production and distribution must be brought in hand. Distribution realizes it now. The same realization will be brought to production during the Dec. 15-17 meetings in Hollywood.

• •

Abram Myers, chairman and general counsel of Allied States, as you will read elsewhere in this issue, charged in testifying before the House Small Business Committee in Washington Friday that "pressure" had been brought to bear by Federal Judge Augustus Hand on Assistant Attorney General Robert L. Wright to bring a speedy end to the Paramount anti-trust case.

Myers' concern for Wright is singular.

What about the sorely tried defense counsel? It was they who wanted a thorough airing of the remaining issues—an examination of the legality or illegality of theatre operations, situation by situation, theatre by theatre. It was Wright who objected to that complete procedure and who wanted the court to cut the hearings to a minimum by accepting as proof for divorcement what he already had entered in the record plus some new, and challenged, exhibits.

In the nature of things, haste on the part of the court is far more likely to result in a decision unsatisfactory to the defendants than to the government. Certainly, Myers knows that. He is on the government's side in this case, always has been. He has issued blast after blast in the last 10 years at the defendants for what he has been pleased to term their "stalling tactics."

And what about Wright? If he is aware of any such "pressure" as Myers charges was brought to bear upon him, why has he not complained?

Wright's silence leads to the general conclusion that Myers is seeing things no one else does. For, even as he was speaking his piece in Washington, the court he was attacking was granting more time, another postponement, to Wright and the defense.

Newsreel Parade

THE sinking of the cruiser Pensacola and St. Laurent becoming Canada's new prime minister are current newsreel highlights. The new British heir, fashions and sports are among other items that round out the reels. Complete contents follow:

MOVIETONE NEWS, No. 93—Sinking of the *USS Pensacola*. President Truman on vacation in Florida. Mrs. Franklin D. Roosevelt gets degree in England. Fort Bliss Texas Centennial. Rocket [illegible] and plane-throwing tanks in Australia. Embroidery fashions. Ice skating at Radio City. Young Australian acrobats. Women wrestlers. Basketball.

NEWS OF THE DAY, No. 223—British rejoice over birth of Royal prince. Death at sea of *USS Pensacola*. Rootin' Tootin' toddlers contest. Louis St. Laurent, new premier of Canada. President Truman on vacation. The gentler sex, women's wrestling championship. Football.

PARAMOUNT NEWS, No. 26—Navy sinks cruiser *USS Pensacola*. People in the eyes of the world. Canada welcomes new Prime Minister. Georgia: nation's youngest governor, Herman Talmadge. Milady looks to 1949. Football.

UNIVERSAL NEWSREEL, No. 197—*USS Pensacola*, war and atom torn cruiser, sunk. Canada: MacKenzie King hands post to St. Laurent. President Truman vacations. Mrs. F.D.R. receives degree. Baby show. Royal heir born to Elizabeth. Football.

WARNER PATHE NEWS, No. 28—People in the news: The Truman family; Louis St. Laurent; Defense Secretary Forrestal. Football. Disaster rides miniature rails. Paris fashions. Variety Club cheers polio victim. Thanksgiving under water. Great events: Mayflower compact signed.

$117,608 Monogram Loss for 13 Weeks

HOLLYWOOD, Nov. 21.—Monogram operations for 13 weeks ended Oct. 2 resulted in a loss of $117,608, after reflecting estimated refund of prior years' Federal income taxes under the loss carryback provisions of the Internal Revenue Code, President Steve Broidy disclosed at the weekend. This compares with a loss of $36,414 for the corresponding period of 1947.

Broidy revealed also that outstanding direct borrowing from banks, under an existing $3,000,000 revolving line credit, have been reduced by payments totaling $455,000 since issuance of the annual statement to stockholders on July 3, leaving a balance of $2,130,000 outstanding at this time.

Paramount Net

(*Continued from page* 1)

$1,147,000 share of earnings of subsidiaries.

The company excludes earnings of all subsidiaries operating outside of the United States and Canada, except to the extent that dividends have been received from such subsidiaries in dollars or are remittable under existing restrictions on remittances.

The estimated earnings for the quarter represent 94 cents per share on 6,835,839 shares outstanding on Oct. 2, which compares with $1.15 per share for the quarter ended Oct. 4, 1947 on 7,020,972 shares.

The board of directors of Paramount has declared the regular quarterly dividend of 50 cents per share on common stock, payable Dec. 24, to stockholders of record on Dec. 3.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

ail to Settle WB, lacArthur DC Suit

WASHINGTON, Nov. 21.—Negotiaıns between Warner Brothers and K-B Amusement Co. for an out-court settlement in the MacArthur heatre case have failed completely, d District Court Judge Maguire ll be asked to hand down a verdict the matter.

K-B is suing to force Stanley Co., arner's subsidiary, out of the jointly-wned MacArthur. Judge Maguire eard argument on the case some eeks ago, but said he would withhold dgment while the parties tried to t together and work out a settlent.

Meetings were again held between ie two parties here last week, and l discussions failed. New attorneys e working on a letter advising Judge laguire of the situation, and asking im to rule. K-B has asked for sumıary judgment in its favor, while tanley has asked the court to dismiss ie case.

Windsor Files

(*Continued from page* 1)

o restrain and injure the Windsor's usiness by depriving it of first eighborhood-run product.

It is an outgrowth of a damage and njunction suit filed in Washington District Court in February by the Windsor against the Baltimore firms, their president and six major distributors—M-G-M, Paramount, 20th Century-Fox, United Artists, Universal, and Warner. The Walbrook, Hilton and Goldberg won a motion in the Washington court that they be dismissed from that case as not doing business in the District of Columbia.

Now the Windsor is suing them—for damages only—in Baltimore. The case against the distributors is still pending in Washington. Out-of-court settlements have been obtained by the Windsor from 20th-Fox and Paramount, and negotiations have been under way for some weeks with M-G-M.

The Walbrook, meanwhile, has pending a counter-suit to have the 20th-Fox out-of-court settlement—under which the distributor agrees to split its first neighborhood-run films between the Walbrook and Windsor—declared a breach of its contract with 20th-Fox.

Film Tax Men Meet Today in N.Y.C. Fight

Five film industry tax specialists and another representing legitimate theatres have been appointed to a committee which will document evidence to support the New York City exhibitors' campaign attacking an heretofore dormant two per cent municipal tax on leased theatre equipment. The group will hold its first meeting here today.

The tax specialists, named by heads of local theatre associations, are: Donald Schiff, Loew's; Harry Levine, RKO; W. S. Halladay, Warner; John S. Waters, League of New York Theatres; S. L. Klein, Independent Theatre Owners of New York, and Philip Holling, Fabian Theatres. The committee will be assisted in its spadework by Mort Sunshine of ITOA, John Phillips of the Metropolitan Motion Picture Theatre Owners, and circuit executive William Brandt.

Review

"Yellow Sky"

(*20th Century-Fox*)

CHARACTERIZATION appears to be more relied upon than action in this story of the pioneering West two years after the close of the Civil War. Its central theme—a familiar one—deals with man's desire for gold and the corroding influence of the glittering metal. It also dilutes the corrosive influence through woman and love.

Gregory Peck is the leader of a band of bank robbers beating its way through the Arizona desert. They rob a bank, escape from the clutches of avenging soldiers in a pictorially stunning pursuit, have a bad time of it crossing the salt flats and end up at Yellow Sky, a ghost town. There, they find Anne Baxter and James Barton, her grandfather, and learn they have been prospecting successfully for gold. The gang moves in on a fifty-fifty split never intending to settle for less than the whole payload. But when Peck falls for Miss Baxter—and she for him, albeit reluctantly—his better-self primes him to stand by his word. This causes a split in his own ranks which ends in a general gun melee during which Richard Widmark and John Russell are killed while the remaining members realign on a more orderly basis with Peck. In the finale, restitution is made for the original bank robbery so that Peck cleans his slate for resumption of his romance.

Performances are good, if constantly slow-paced. Miss Baxter, in a new role for her, is tough as a wildcat and a whale of a gal with a repeating rifle. Peck is the gangly outdoor man, handy with his fists and quick on the trigger, in a role which bears resemblance, in some phases of it, to the character he played in "Duel in the Sun." However, in point of electric action "Yellow Sky" is decidedly shy. Its 98 minutes, marked by many slowly-developing sequences, consequently click off more leisurely than is good for the film and its commercial appeal. Photographically, "Yellow Sky" generally is a knockout of dramatic panoramas of sky, mountain and desert and, in these areas, is tops. William A. Wellman directed for producer Lamar Trotti, who also wrote the screenplay, basing it on a story by W. R. Burnett.

Running time, 98 minutes. General audience classification. Release date, December, 1948. RED KANN

Sears Staying West For UA-Hughes Deal

HOLLYWOOD, Nov. 21.—Gradwell Sears, United Artists president, who came here from New York to attend the meeting at which the Selznick-UA distribution plan was dropped, will remain several days to finalize an agreement with Howard Hughes under which RKO Radio will acquire distribution rights to three films made by Hughes, originally for release by UA. In exchange, Hughes will provide partial financing for three films, possibly more, to be made for UA by independent producers.

Films are to be made at the James Nasser studio with Nasser providing completion bonds.

The number is likely to increase from three, as originally agreed upon.

Nine Appointments in U.-I.'s Selling Force

Universal-International has made nine changes and additions in its field selling forces, as follows: Milton Schneiderman, who formerly assisted Fred Meyers, U-I Eastern sales manager in the home office, has been appointed salesman in Washington, taking over the Baltimore territory previously held by Vincent Dougherty who has been transferred to the Washington zone. Peter C. Quiter, former office manager in Pittsburgh, who recently has been selling, has been officially assigned as salesman to that branch.

George Byrd, former head booker in Oklahoma City, has been promoted to salesman in that branch to fill the vacancy created by the recent promotion of Charles W. Hudgens to branch manager in Oklahoma City. W. E. Maddox has been named salesman in Oklahoma City; Lin Harrington as salesman in Dallas and Paul Webster as salesman in Des Moines. Salesman Carl Miller has been transferred from Seattle to Los Angeles.

SRO Eyes RKO

(*Continued from page* 1)

U.A. payroll, increasing the latter company's sales costs to about 35 per cent, from their present 25.7. SRO's plan provided no guarantee of either a steady flow or volume supply of product to offset the added costs, it is said.

Selznick said he regretted the collapse of the U.A. negotiations but added that "We cannot contemplate any deal that does not permit the separate identity and organization of SRO throughout the world."

After stating that "SRO will continue to operate separately as heretofore," Selznick said: "It should be apparent to everyone in the business that current conditions do not permit the present wasteful duplication in distribution on the part of any unit large or small in the industry."

Gradwell Sears, U.A. president, said he had foreseen certain benefits to U.A. in the proposed deal, "particularly in view of the fact that the additional volume would be represented by so few units. However," he continued, "since United Artists is and has been purely a distributing organization for nearly 30 years, it is only reasonable for the stockholders (Mary Pickford and Charles Chaplin) to expect the maintenance of its name and facilities intact."

Sears' statement was the first indication that the SRO deal proposed dilution of the U.A. name.

WB District Meeting

(*Continued from page* 1)

west; Hall Walsh, Prairie; John F. Kirby, Southeastern; Doak Roberts, Southwestern; Henry M. Herbel, West Coast; and Haskell Masters, Canadian.

Other home office executives who will attend include Albert Warner, Samuel Schneider, Mort Blumenstock, Jules Lapidus, Roy Haines, Norman Ayers, Norman Moray, Ed Hinchy, Mike Dolid and Bernard Goodman.

Majors Are Settling Liberty Chicago Suit

CHICAGO, Nov. 21.—An agreement in the Liberty Theatre equity suit has been effected with Paramount, Warner and Republic which will give the plaintiff the opportunity to negotiate and compete for first-run product against defendant theatres in Michigan City. Settlement for similar playing time is now being discussed with Columbia.

Hearings for the remaining defendants, Universal, Indiana-Illinois Theatres, Dunelake Theatre Corp. and Lido Amusements, Inc., will be heard on Jan. 14 in U. S. District Court here. Representing the plaintiff is attorney Seymour Simon.

Keller - Dorian Sues

(*Continued from page* 1)

color cinematography and charges a violation by Kodak of an alleged 1927 contract whereby it was to exploit the Keller-Dorian color film process.

The actions charge also that the defendants breached contracts and allegedly violated patent rights owned by the plaintiff and originally owned by the Keller-Dorian Société of France.

The suit against Kodak alone seeks specific performance of the alleged contract and a declaratory judgment that the plaintiffs are the owners of the patent rights, plus the $50,000,000 damages.

Federal Judge Murray Hulbert has granted the plaintiff the right to examine books and records of the defendants.

Keller-Dorian also claims that, in order to protect its investments in the Technicolor process the defendants "deliberately and fraudulently withheld the plaintiff's process despite the fact that such process costs but a fraction more than the cost for black-and-white and the Technicolor process costs substantially more."

E-K President Scores Keller-Dorian on Suit

ROCHESTER, N. Y., Nov. 21.—Thomas J. Hargrave, Eastman Kodak president, declared here at the weekend that the suit filed in New York on Friday by the Keller-Dorian Color Film Corp. is "without justification" and "absurd." E-K is named co-defendant with Technicolor in a $250,000,000 damage suit and in a separate suit for $50,000,000.

Hargrave said E-K had experimented with the Keller-Dorian "lenticulated" film process, which his company acquired some 20 years ago, and had found it less economical and less practicable than other processes. The company is continuing to experiment with the process for adaptation to professional use, he added.

Members of SIMPP Lose Detroit Plea

DETROIT, Nov. 21.—Federal Judge Arthur A. Koscinski has ruled that preliminary depositions must be made in Detroit, in the $8,750,000 anti-trust case filed here on Aug. 24 by members of the Society of Independent Motion Picture Producers against United Detroit Theatres and Earl J. Hudson, its president, and Cooperative Theatres of Michigan and James F. Sharkey, its manager, the four being accused of monopolistic practices.

TOP GROSS PICTURES

ACTION!..THRILLS!..COLOR!



The Plunderers

in TRUCOLOR

starring

ROD CAMERON · ILONA MASSEY

and **ADRIAN BOOTH** with **FORREST TUCKER**

GEORGE CLEVELAND · GRANT WITHERS · TAYLOR HOLMES · PAUL FIX

Screen Play by Gerald Geraghty and Gerald Adams
Based on an Original Story by James Edward Grant
Associate Producer and Director—JOSEPH KANE



STEINBECK'S GREAT AMERICAN STORY!

CHARLES K. FELDMAN *presents*

MYRNA LOY · ROBERT MITCHUM

in *John Steinbeck's*

THE RED PONY

COLOR BY TECHNICOLOR

A Lewis Milestone Production

with **LOUIS CALHERN** and **SHEPPERD STRUDWICK**

and introducing

PETER MILES as Tom and... **MARGARET HAMILTON**

Screen Play by JOHN STEINBECK...Music—AARON COPLAND

Produced and Directed by LEWIS MILESTONE



FROM REPUBLIC!!



SOLD A MILLION COPIES AS A BOOK!

JOHN WAYNE
GAIL RUSSELL in

WAKE OF THE RED WITCH

with
GIG YOUNG · ADELE MARA · LUTHER ADLER
and
EDUARD FRANZ · GRANT WITHERS · HENRY DANIELL
PAUL FIX · JEFF COREY

Screen Play by Harry Brown and Kenneth Gamet
Based on the Novel by Garland Roark
Directed by Edward Ludwig
Associate Producer—Edmund Grainger



"CURSED WITH ETERNAL YOUTH"



ANGEL ON THE AMAZON

starring
GEORGE BRENT · VERA RALSTON
BRIAN AHERNE · CONSTANCE BENNETT
with FORTUNIO BONANOVA
ALFONSO BEDOYA · GUS SCHILLING · RICHARD CRANE

Screen Play by Lawrence Kimble
Original Story by Earl Felton
Associate Producer-Director
JOHN H. AUER



REPUBLIC PICTURES

Myers Attacks

(*Continued from page* 1)

any client," all his examples for the need of such courts were drawn from the film industry.

The Allied official quoted to the committee—or at least to the only member present, "lame-duck, catnapping" Congressman Stevenson of Wisconsin—a portion of the Nov. 8 New York court record in which Federal Judge Augustus N. Hand told Wright that "a lot of things they (distributor attorneys) are talking about ought to be entirely capable of adjustment from day to day by you and them."

Quotes Justice Hand

"When Wright agreed, Judge Hand continued: 'You are making a very broad claim that no producer and distributor should own a theatre'." Then, he said, the hearing recessed to enable counsel to work out an agreement on the partnership theatres.

Myers declared he fully sympathized with Judge Hand's desire to get the Paramount case over with, but that "I know that if any concessions are made they will have to be made by the government; and that, I submit, is against the public interest."

At another point, Myers cited the "interminable delays" made by the defendants in the Paramount case.

Myers indicated a similar type of pressure from the court on the attorney general had led to the "improvident" 1940 consent decree. In that case, he said the desire of the District Court to be "relieved of the burden of hearing and deciding" so complicated a case "stopped the wheels of justice for five long years."

This all indicated to Myers a prime reason for a special anti-trust court—"the need for tribunals which can perform their full duty in such extraordinary proceedings without neglecting any other duties."

A second reason, he declared, was to get uniformity of decision, and here again he drew on film examples.

Myers told the committee how the Paramount, Schine and Griffith cases were filed in three different District courts, getting very different results until the Supreme Court decided all in favor of the government.

Reduce 'Consent Decree Evil'

"A special tribunal with an elastic procedure which could be adapted to the circumstances of particular cases would not tolerate such abuses," he stated.

Finally, Myers declared, judges experienced in the anti-trust laws, with an elastic court procedure, "would eliminate or greatly reduce the evil of the consent decree in government cases."

"I believe," he told the committee, "that in many big cases, like the Paramount case, the government has accepted consent decrees—which always represent a compromise—because government counsel was appalled by the prospect of trying the cases under pressure put on them by the judges and under the rules and procedure which prevail in the courts of general jurisdiction."

Myers said later he referred to the 1940 Paramount decree and not the recent RKO decree.

The Allied official asked permission to file later a statement "dealing with some of the problems advanced by the exhibitors at committee hearings during the summer." He said he expected to do this after Allied's New Orleans board meeting, Nov. 27-Dec. 1.

Committee Is Recessed

Former Assistant Attorney General Thurman Arnold, slated to testify Friday, was ill and did not appear. The committee recessed its hearings, which started last Monday.

Russell Hardy, former anti-trust division official and now counsel for "several independent exhibitors," sharply criticized the RKO consent decree as being "extremely dangerous as a precedent for other decrees, and offering no effective relief."

Hardy said much the same criticisms could be leveled against the 1940 Paramount consent decree which did not "touch the monopoly problem or afford any relief for the interests hurt by the monopoly."

Hardy used the RKO and Paramount decrees as examples to push his suggestion for tightening the anti-trust laws. He would require a proposed consent decree to be filed in court, published in the *Federal Register* and trade papers, and then give any person affected by the decree a chance to appear in court, state his objections and suggestions, and appeal if overruled.

Karl Weisman Dead

Karl Weisman, father of Milton Weisman, film attorney, died here on Friday.

Key City Income Is Firm

(*Continued from page* 1)

"Tap Roots," "Beyond Glory," and "Rachel and the Stranger."

Pictures which registered strongly in a number of locations during both months were: "Hamlet," "Good Sam," "Two Guys from Texas," "Red River," "Luxury Liner" and "One Touch of Venus."

Last month the following had better-than-average returns: "A Southern Yankee," "Apartment for Peggy," "Julia Misbehaves," "Walk a Crooked Mile" and "Cry of the City."

Composite key city boxoffice reports for 1948 to date, compared with corresponding weeks of last year, follow:

1948 Week Ending	No. of Theatres	Total Gross	Average Per Theatre
Jan. 2-3	179	$3,406,600	$19,031
Jan. 9-10	168	3,112,700	18,528
Jan. 16-17	168	2,473,300	14,722
Jan. 23-24	166	2,419,000	14,572
Jan. 30-31	166	2,341,900	14,108
Feb. 6-7	167	2,537,800	15,196
Feb. 13-14	166	2,381,500	15,546
Feb. 20-21	164	2,316,500	15,125
Feb. 27-28	167	2,734,100	16,372
Mar. 5-6	165	2,372,700	14,380
Mar. 12-13	165	2,441,800	14,799
Mar. 19-20	175	2,626,800	15,010
Mar. 26-27	162	2,356,800	14,548
April 2-3	171	2,953,500	17,272
April 9-10	169	2,740,000	16,213
April 16-17	175	2,493,600	14,249
April 23-24	167	2,284,000	13,677
April 30-May 1	159	2,232,300	14,040
May 7-8	167	2,416,500	14,470
May 14-15	167	2,301,200	13,780
May 21-22	149	2,118,300	14,217
May 28-29	158	2,241,100	14,184
June 4-5	166	2,577,400	15,527
June 11-12	172	2,287,800	13,304
June 18-19	176	2,340,300	13,297
June 25-26	170	2,396,500	14,097
July 2-3	167	2,476,300	14,828
July 9-10	161	2,499,000	15,522
July 16-17	170	2,418,900	14,229
July 23-24	172	2,577,800	14,987
July 30-31	170	2,438,600	14,345
Aug. 6-7	173	2,482,800	14,351
Aug. 13-14	171	2,575,500	15,061
Aug. 20-21	175	2,577,800	14,730
Aug. 27-28	166	2,430,400	14,641
Sept. 3-4	172	2,463,500	14,323
Sept. 10-11	168	2,722,000	16,202
Sept. 17-18	171	2,406,700	14,074
Sept. 24-25	154	2,262,500	14,692
Oct. 1-2	163	2,332,800	14,312
Oct. 8-9	160	2,387,500	14,922
Oct. 15-16	172	2,529,200	14,705
Oct. 22-23	159	2,349,800	14,779
Oct. 29-30	161	2,379,900	14,782

1947 Week Ending	No. of Theatres	Total Gross	Average Per Theatre
Jan. 3-4	167	$3,678,100	$22,024
Jan. 10-11	173	3,363,200	19,400
Jan. 17-18	173	3,007,300	17,383
Jan. 24-25	176	3,043,700	17,294
Jan. 3-Feb. 1	181	2,293,600	18,197
Feb. 7-8	177	3,089,600	17,495
Feb. 14-15	177	2,767,900	15,638
Feb. 21-22	182	3,042,700	16,718
Feb. 28-Mar. 1	166	2,800,300	16,869
Mar. 7-8	178	2,906,400	16,328
Mar. 14-15	174	2,890,300	16,610
Mar. 21-22	173	2,922,900	16,895
Mar. 28-29	178	3,069,500	17,245
April 4-5	179	2,838,800	15,859
April 11-12	184	2,233,500	17,606
April 18-19	177	2,973,400	16,798
April 25-26	183	2,917,900	15,945
May 2-3	177	2,699,800	15,253
May 9-10	175	2,578,100	15,732
May 16-17	176	2,650,400	15,059
May 23-24	169	2,369,100	14,018
May 30-31	173	2,590,100	14,972
June 6-7	178	2,834,800	15,926
June 13-14	165	2,511,700	15,222
June 20-21	170	2,579,400	15,173
June 27-28	174	2,557,000	14,695
July 4-5	163	2,507,300	15,382
July 11-12	169	2,734,800	16,182
July 18-19	174	2,555,900	14,689
July 25-26	156	2,561,700	16,421
Aug. 1-2	160	2,511,500	15,696
Aug. 8-9	166	2,612,700	15,742
Aug 15-16	164	2,622,300	15,989
Aug. 22-23	170	2,931,800	17,246
Aug. 29-30	164	2,786,700	16,992
Sept. 5-6	159	2,829,000	17,192
Sept. 12-13	170	2,855,600	16,209
Sept. 19-20	167	2,716,800	16,268
Sept. 26-27	172	2,845,000	16,541
Oct. 3-4	177	2,852,100	16,113
Oct. 10-11	171	2,665,900	15,590
Oct. 17-18	176	2,923,900	16,613
Oct. 24-25	177	2,956,600	16,704
Oct. 31-Nov. 1	177	3,029,500	17,116

Academy Awards Set

(*Continued from page* 1)

American Broadcasting, will be followed by a buffet supper and ball.

Don Hartman, chairman of the presentation program, has appointed George Jessel, Harry Tugend, Charles Brackett, Norman Panama, Melvin Frank, Bill Lawrence and Johnny Green, to assist in producing the program.

Decision to switch from the Shrine Auditorium, utilized for ceremonies in the past two years with a public ticket sale, was arrived at after a protracted evening session during which several proposals were considered. These ranged from the return to a pre-war Academy banquet formula to a commercially-sponsored radio program, representing all facets of Academy membership opinion. With public ticket sale cut off, and with the buffet as an added feature, the net cost of the ceremonies will present a financial problem greater than that confronting the Academy in any previous year. Means for meeting this are not yet determined, and the possibility exists that present plans may undergo drastic changes before the presentation date.

Tent No. 11 Honored

WASHINGTON, Nov. 21.—Variety's Tent No. 11 here has received a certificate of achievement from the Navy Department in recognition of its morale-building activities among injured Navy personnel during the war. Chief barker Frank Boucher accepted the certificate on behalf of Variety.

MPEA Expands It Bavarian Facilities

Eric R. Pleskow, former film o cer for the American Military G ernment in Bavaria, has been nam assistant general manager of the M tion Picture Export Association Germany under Marian F. Jordan, Irving Maas, MPEA vice-preside and general manager.

Creation of Pleskow's p Ma stated, is an outgrowth of rap expansion in distribution ac ities that country since the MPEA tak over from the AMG early this ye and the subsequent entry of Americ product into the British and Fren zones.

MPEA To Meet on German Dollar Pact

Board of directors of the Motic Picture Export Association will me here this week to finalize an agre ment with the U. S. European C operation Administration which perm the convertibility of earnings in Ge many to cover distribution expenses.

TOA Public Relation

(*Continued from page* 1)

uted press releases, speeches and edi torials prepared at TOA headquar ters to media which reached an audi ence of more than 35,000,000 persons

It asked that all exhibitors, wheth er they are TOA members or not to help underwrite the program, in which unity is stressed. This, TOA says, means "exhibitor prestige, good will insurance and good box-office."

The program was presented by Sullivan last Thursday to the executive committee meeting of the Motion Picture Association of America.

Threat of Censorship Discussed by Media

WASHINGTON, Nov. 21.—Growing threat of censorship on national and local levels dominated discussion here on Friday at a meeting called by the National Association of Broadcasters among representatives of films, radio, newspapers and other information media to discuss freedom of expression.

Motion Picture Association of America president Eric Johnston and MPAA counsel Sidney Schreiber addressed the session. Also attending were Ken Clark of MPAA and James Barnes, counsel for the Society of Independent Motion Picture Producers.

Coleman Is Elected Atlanta Variety Chief

ATLANTA, Nov. 21.—New officers of the local Variety Club are: Fred Coleman, chief barker; Guy Brown, First Assistant; Emory Austin, second; R. B. Wilby, dough guy; crew, Emory Austin, Guy Brown, Fred Coleman, John Cunningham, Boyd Fry, John Fulton, R. B. Wilby, William K. Jenkins, Robert J. Langer, Nat Williams; delegates, Jenkins, Oscar Lam; alternate delegates, R. B. Wilby, Nat Williams. New officers will be installed at a dinner at Brookhaven Country Club on Dec. 13.

SMPE To Meet Here

November meeting of the Society of Motion Picture Engineers will be held tomorrow evening at Reeves Sound Studios here. The meeting will be open to the public.

FILE COPY
DO NOT REMOVE

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64. NO. 100 NEW YORK, U.S.A., TUESDAY, NOVEMBER 23, 1948 TEN CENTS

Legalites Take Over Labor Struggle Here

'A,' SOPEG Attorneys Planning NLRB Fights

The struggle between CIO and AFL unions for jurisdictional supremacy in film company home offices here is expected to narrow down to a battle between labor attorneys, now that CIO's Screen Office and Professional Employes Guild has taken action to comply with the non-Communist provisions of the Taft-Hartley law. Heading opposing batteries will be Matthew M. Levy, counsel for AFL's IATSE, and Leonard Boudin, attorney for United Office and Professional Workers of America, SOPEG's parent union.

The arena wherein Levy and Boudin will tilt will be the New York office of the National Labor Relations Board, because with SOPEG's filing of non-Communist affidavits, that union

(Continued on page 5)

Grosses Here Running Fair

General income in the first-run area is about fair this week as holdovers lost ground as they near the end of their runs. Three new shows, one of them a pair of reissues, brightened the overall picture to some extent.

"The Kissing Bandit" with Shep Fields' orchestra, Jane Powell and Joey Adams on stage probably will give the Capitol a fairly impressive $79,000 in a first week. Good, too, is "Fighter Squadron" with Frankie Carle on stage at the Strand where the first week's take should be in the

(Continued on page 5)

U. K. Loans Can Be Made to Producers

LONDON, Nov. 22.—Text of Harold Wilson's Cinematograph Film Production (Special Loans) Bill reveals that, contrary to earlier assurances by Wilson himself, loans may be made direct to producers, rather than exclusively to distributors, by Film Finance Corp.

However, it is understood that the Board of Trade will not utilize that

(Continued on page 6)

Ascap Now Paying N. Y. Exhibitors

Reversing a nearly 30-year-old procedure, Ascap has begun mailing checks to exhibitors.

Checks represent refunds to more than 100 exhibitor plaintiffs in the anti-trust suit against the Society here for fees paid by them from April 15, 1948, to the entry 10 days ago of the U. S. District Court order prohibiting the Society from making further collections. Checks average less than $10 each. Refunds were agreed upon during trial of the suit in the event Ascap lost the case.

Move to Block US, Eastman Settlement

Keller-Dorian Colorfilm Corp., plaintiff in a $300,000,000 conspiracy action against Eastman Kodak and Technicolor, has asked U. S. Attorney General Tom Clark to defer the consent decree with E-K in the government's anti-trust suit against E-K and Technicolor, according to a Keller-Dorian spokesman here. The action against Technicolor probably will go to trial.

Keller-Dorian asserts that the decree in effect would "whitewash" Eastman of identical practices complained of in its private action.

It was also disclosed yesterday that controlling stockholders of Keller-

(Continued on page 4)

French Cut Screen Time

By EUGEN WEBER

PARIS, Nov. 19 (By Airmail).—French films must be shown for five weeks out of every quarter, a new French government decree stipulates. Additionally, film imports which are to be shown in both original and dubbed versions must not be shown in the original version in more than five theatres in the Department of Seine (Paris and its environs), and in 10 theatres in other Departments, while those to be shown in their original versions only must not be exhibited in more than 10 theatres in Seine and in 20 theatres elsewhere. Revivals are prohibited.

MacNamara PR Plan Looks Washed Up

The so-called "MacNamara Plan" for industry public relations, involving allocation of two and one-half per cent of all companies' advertising budgets for a general industry promotional campaign, appears unlikely to be adopted, if it is not already a dead issue.

The plan, advanced by Paul MacNamara, advertising-publicity director for Selznick Releasing Organization, was not acted on by top industry executives at the three days of meetings on industry problems presided over by Eric Johnston, Motion Picture Association of America president, here last week. Some executives said the plan

(Continued on page 5)

CEA Asks Theatres to Bar Films Used for Television

LONDON, Nov. 22.—A demand that any film broadcast to owners of home television sets under the new one-year large-screen television agreement between the film industry and BBC be withdrawn completely from commercial theatres' lists has been made by Dennis C. Walls, president of the Cinematograph Exhibitors Association.

The proposed agreement gives BBC the right to broadcast films to domestic users.

British film and stage trade unions, not consulted on the agreement, also are apprehensive and have called immediate meetings to discuss the matter and take action.

The first public large-screen program is not likely to be televised until

(Continued on page 6)

Rank Plans Trebled Output at Pinewood

LONDON, Nov. 22.—In a move to attain "a substantial increase in production" at J. Arthur Rank's Pinewood studio, his Independent Producers, Ltd., has been transformed from a service company into a producing and servicing organization, under the name of Pinewood Films, Ltd. It is now headed by Rank, John Davis and George Archibald, in place of numerous producers who heretofore have comprised its board of directors.

The aim is to treble the Pinewood output in 1949 over the annual aver-

(Continued on page 6)

Vote Militant MPAA Public Relations Bid

Film Presidents Favor An Intensified Program

Motion Picture Association of America will adopt "greater militancy" in its drive for improved public relations. This new approach to the campaign of bettering the prestige and reputation of the industry was endorsed by the companies' presidents at their meeting with MPAA president Eric A. Johnston last Thursday.

Johnston, it is said, had asked industry chiefs to decide whether the public relations program should be intensified, and, if so, how, in the light of its effectiveness or lack of effectiveness to date. To help them reach a decision, the MPAA head had his "Report From Europe," published recently in *The Screen Writer,* read aloud.

Contents of the article, and certain passages in particular, served to per-

(Continued on page 5)

Theatre Units Rise Sharply

WASHINGTON, Nov. 22.—Number of firms engaged in operating motion picture theatres in the U. S. continued to rise sharply during the first half of 1948, the Commerce Department reported here today.

It said that at the end of June, about 14,400 firms were operating theatres, compared to 14,100 at the end of Dec., 1947. The number of firms has been going up steadily since the wartime low of 12,200 at the end of 1943.

In the Commerce Department count, each legal unit is counted as one whether it operates one theatre or 300.

Commerce reported that the new number of firms going into the theatre

(Continued on page 6)

Indicate Monogram, UK Pathe Tie Is Set

Steve Broidy, Monogram-Allied Artists president, is due to divulge in Hollywood this week details concerning a "modified" production-distribution deal involving Monogram-AA and British Pathe, it was indicated here yesterday following the return

(Continued on page 6)

Personal Mention

JERRY WALD, Warner producer, has returned to the Coast from New York.

•

EDWARD RICHTER, M-G-M chief booker at the New York-New Jersey branch, has been promoted to New Jersey salesman, succeeding LOU ALLERHAND, New Jersey manager, while HAROLD MARGOLIS, staff booker since 1938, succeeds to RICHTER's post.

•

JULES LAPIDUS, Warner Eastern and Canadian division sales manager, and MIKE DOLID, assistant to BEN KALMENSON, distribution vice-president, will be in Gloversville, N. Y. today from here.

•

MAURICE A. BERGMAN, Universal-International Eastern advertising-publicity director, and AL HORWITS, Eastern publicity manager, have returned to New York from Chicago.

•

LYNN FARNOL's new wrist-watch, a WALTER WANGER-INGRID BERGMAN presentation, reveals at a glance the room temperature, altitude and time of day.

•

ERIC JOHNSTON, Motion Picture Association of America president, will address the New York State Chamber of Commerce at a luncheon-meeting here on Dec. 2.

•

ALAN F. CUMMINGS, head of M-G-M exchange operations, returned to New York yesterday from a three-week tour of branches.

•

BERNARD LEVY of Amalgamated Theatres Booking Service, New Haven, and MRS. LEVY have become parents of a son, ELLIOTT.

•

E. L. McEVOY, Universal-International short subjects manager, will be in Cleveland today and tomorrow from here.

•

SOL C. SIEGEL, 20th Century-Fox producer, and JOSEPH L. MANKIEWICZ, director, are here from Hollywood.

•

A. PAM BLUMENTHAL, Cinecolor board chairman, will return to Hollywood on Thursday from New York.

•

W. M. RICHARDSON, head of Astor Pictures of Atlanta, is in New York from that city.

•

LEON BRANDT, Eagle-Lion exploitation manager, is in Chicago from New York.

•

DOUGLAS FAIRBANKS, JR., arrived here over the weekend by plane from London.

Hankins Is Named Monogram Manager

HOLLYWOOD, Nov. 22.—Sol Hankins, former Monogram salesman in St. Louis, has been appointed manager of the company's exchange in Omaha. Hankins will assume his new position on Nov. 29.

Twenty Will Fly to O'Donnell Dinner

Acceptances to the Robert J. O'Donnell testimonial dinner to be held in Dallas on Saturday, Dec. 4, are rolling in to the dinner committee from numerous New Yorkers. On the special chartered DC6 flight from New York on Friday, Dec. 3, the following have already made reservations: Ned Depinet, Sam Dembow, Charles Berns, Sol Schwartz, Leonard Goldenson, Richard C. Fowler, William Key, Robert Christenberry, Charles Boasberg, Ted O'Shea, Charles Reagan, Murray Weiss (Boston), Tom Connors, Max Cohen, Jules Levey, Herman Robbins, William Brenner, Paul Lazarus, Jr., Bernard Kranz, Harry Thomas. On the return flight, in addition to those listed, will be the following who are not going on the flight because they will be in New Orleans for the Allied convention and will go to Dallas from that city: George Dembow, Chick Lewis, Maurice Bergman, William Scully.

On arrival in Dallas the local committee will have a Texan reception committee at the airport with all the fireworks. Baggage will be taken direct to the hotels for all plane travellers and after they check in there will be a reception and party at the Variety Club rooms in the Adolphus Hotel.

Gil Golden to Head 'Brotherhood' Ads

Gil Golden, advertising manager of Warner Brothers here, has been named advertising-publicity director of the motion picture division for "Brotherhood Week," of which Ned E. Depinet, president of RKO Radio, is chairman. Golden accepted the appointment of the advertising-publicity directors' committee of the Motion Picture Association of America.

"Brotherhood Week," which is under the auspices of the National Conference of Christians and Jews, will be observed Feb. 20-27. Golden will attend a general organization meeting at the Waldorf-Astoria here today.

Mich. Allied Board Will Elect Dec. 8

DETROIT, Nov. 22. — A luncheon-meeting of the new board of Allied Theatres of Michigan, elected under the new organizational plan adopted at the annual convention here two months ago, will be held in the Tuller Hotel, Dec. 8.

Legislative matters will be discussed along with the election of officers and the formal inauguration of the new enlarged board. Forty board members and alternates are expected to attend.

Donaldson Quits E-L N.E. Division Post

BOSTON, Nov. 22.—Thomas Donaldson, Northeastern division sales manager of Eagle-Lion Films, has resigned, effective Dec. 1. No future plans are available at this time.

A successor has not been selected.

Twin City Grosses Soar, French Says

Minneapolis, Nov. 22.—Theatre box-offices in Minneapolis and St. Paul Loop stands moved up for the second week since election, with weekends getting particularly heavy play. First weekend was termed by Harry French, Minnesota Amusement president, as registering "a good comeback," with the best showing in the past three months. Last weekend was up 20 per cent over the previous one, French said.

Snowstorm Cripples Midwest Theatres

KANSAS CITY, Nov. 22.—The high winds and snowstorm which hit Western Kansas, extending as far East as Salina, stopped many trains, blocked highways, broke communications and isolated many towns. In some towns electric current was suspended. Some trucks carrying films were marooned. Numerous theatres failed to get scheduled prints, by rail or truck.

In Southwestern Kansas, a large proportion of main highways have been cleared but information from many sections is still meagre. Film trade representatives say this was the worst storm in their memory as affecting transportation of films and the isolation of communities. Temperatures, however, were not extremely low.

Ayres to 20th-Fox Reissue Division

Larry Ayres, former salesman at 20th Century-Fox's Philadelphia and Buffalo exchanges, has been promoted to the newly-formed reissue department, as aide to William C. Gehring, assistant general sales manager, in charge of the department.

Ayres, who served five years in the Army, has been with 20th-Fox since 1930.

Rogell Heads New Cinema B'nai Brith

HOLLYWOOD, Nov. 22.—Newly-formed Cinema Lodge of B'nai Brith, in its first chapter membership meeting, appointed Albert S. Rogell president *pro tem*, Carl Post, treasurer *pro tem* and chairman of the public relations committee, with Al Gordon as his assistant, and Gene Gach as chairman of a radio committee.

UJA to Fete Skouras

Spyros P. Skouras, 20th Century-Fox president, will be honor guest at a luncheon to be given here tomorrow at the Hotel Astor by officers of the amusement division of the United Jewish Appeal for his cooperation in getting corporation contributions for the UJA drive. Dr. Jonah B. Wise will be principal speaker.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
ROCKEFELLER CENTER
JOAN FONTAINE-JAMES STEWART
"YOU GOTTA STAY HAPPY"
EDDIE ALBERT
A WILLIAM DOZIER PRESENTATION
A UNIVERSAL-INTERNATIONAL PICTURE
SPECTACULAR STAGE PRESENTATION

JOAN OF ARC starring INGRID BERGMAN
VICTORIA B'WAY at 46th ST
COLOR BY TECHNICOLOR
CAST OF THOUSANDS

DARRYL F. ZANUCK presents
OLIVIA de HAVILLAND
the Snake Pit
Directed by ANATOLE LITVAK • Produced by ANATOLE LITVAK & ROBERT BASSLER
20th CENTURY-FOX
RIVOLI B'way & 49th Street

Paramount presents
JOHN LUND • WANDA HENDRIX
BARRY FITZGERALD • MONTY WOOLLEY
in 'Miss Tatlock's Millions'
In Person
STAN KENTON And His Orchestra
featuring JUNE CHRISTY
and RED BUTTONS
RAUL & EVA REYES
Extra Added Attraction
NELLIE LUTCHER
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

SAMUEL GOLDWYN presents
DANNY KAYE
VIRGINIA MAYO
"A SONG IS BORN"
COLOR BY TECHNICOLOR
Broadway at 45th Street
ASTOR
Cont. from 8:45 A.M.
Midnight Show

J. Arthur Rank presents
"THE RED SHOES"
Color by Technicolor
BIJOU THEATER, 45th Street West of Broadway
All Seats Reserved, Mail Orders
Twice Daily
Extra Matinees Saturday and Sunday
Late Show Saturday Evening 11:30
An EAGLE LION FILM Release

Robert Mitchum
Barbara Bel Geddes
Robert Preston
in
BLOOD ON THE MOON
BRANDT'S GLOBE
BROADWAY AT 46TH STREET

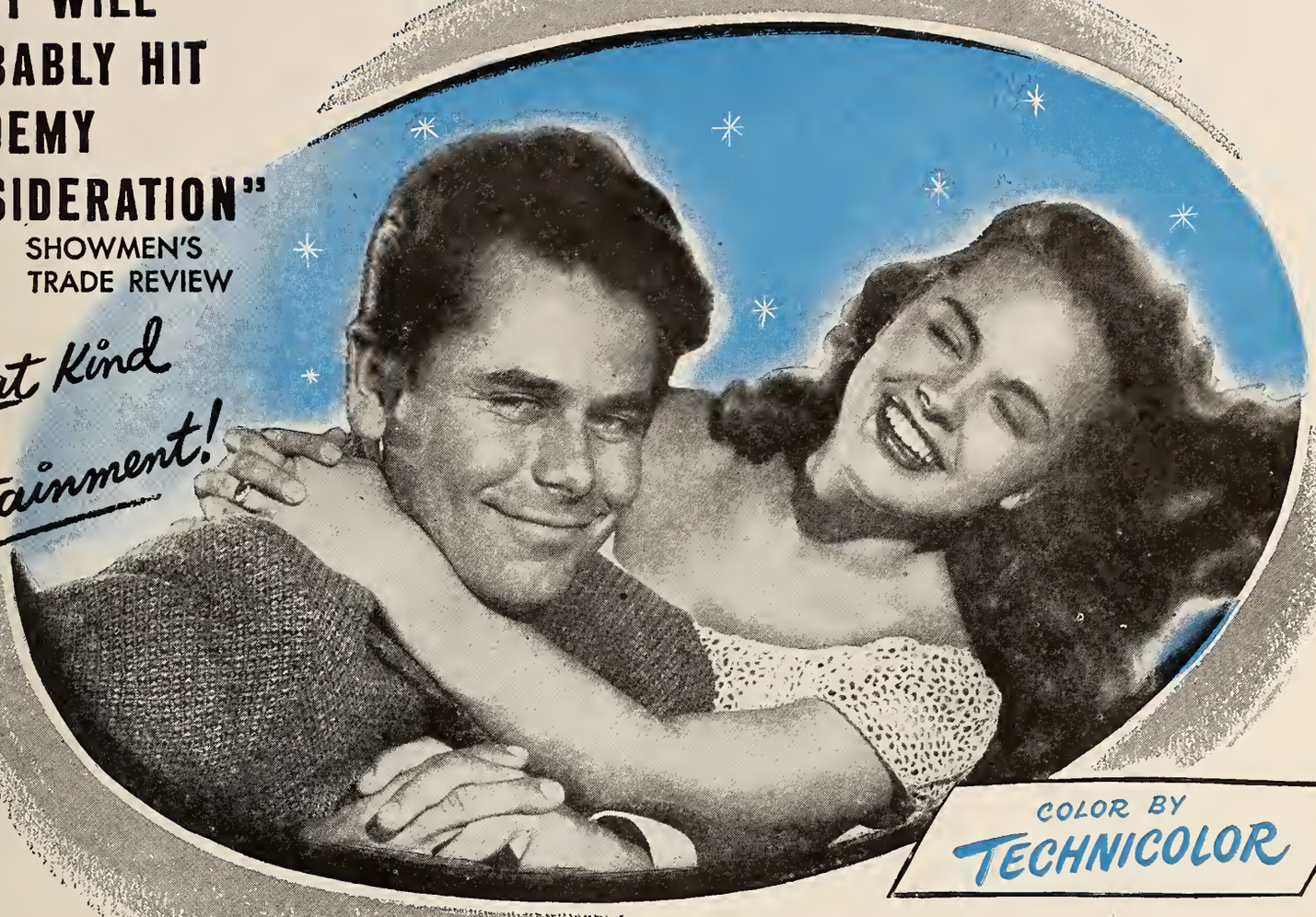
MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

"ABUNDANCE OF INGREDIENTS WHICH SPELL BOXOFFICE SUCCESS"

BOXOFFICE

TORY WILL
ROBABLY HIT
ADEMY
ONSIDERATION"
SHOWMEN'S
TRADE REVIEW

s that Kind of tertainment!



COLOR BY TECHNICOLOR

COLUMBIA PICTURES
presents

GLENN FORD
TERRY MOORE
in

The RETURN of OCTOBER

The picture with a "SCHNOOKLE"

Meet "OCTOBER"...



the Horse of the Month!

with

Albert SHARPE · James GLEASON · Dame May WHITTY · Henry O'NEILL

Screenplay by Melvin Frank and Norman Panama
Story by Connie Lee and Karen DeWolf
Directed by JOSEPH H. LEWIS · Produced by RUDOLPH MATE

Will Rule Today on E-K Consent Decree

LOS ANGELES, Nov. 22.—Decision on whether to sign a consent decree which would eliminate Eastman Kodak from the government anti-trust suit was postponed until tomorrow afternoon by Federal Judge William C. Mathes, following its submission by the Department of Justice's resident representative, William C. Dixon.

Judge Mathes, who said time was required to study terms of the decree, read into the record the fact that he had received a telegram from George J. Schaefer, board chairman of the Keller-Dorian Colorfilm Corp., protesting the granting of a consent decree to Eastman. However, Judge Mathes indicated he did not attach weight to this.

Keller-Dorian is the plaintiff in a $250,000,000 suit filed in New York last Friday against Technicolor and Eastman-Kodak and another $50,000,000 suit against E-K alone.

Keller-Dorian Suit Called 'Preposterous' by Kalmus

Technicolor has not now and never has had any contracts with the Keller-Dorian Colorfilm Corp., and its suit against the corporation is "preposterous and without foundation," according to a statement issued here last night by Dr. Herbert T. Kalmus, president of Technicolor, in commenting on the suit filed in New York on Friday by Keller-Dorian.

Eastman Settlement

(*Continued from page 1*)

Dorian include George J. Schaefer, sales head of Enterprise Films, and Hermann A. Place, president of General Precision Equipment. Schaefer also is a director of the company.

Reviews

"Grand Canyon Trail"

(Republic)

ALL of the action, gunplay and chases that make for popular Western entertainment are in "Grand Canyon Trail" and for good measure it is in Trucolor. Roy Rogers sings, fights and shoots with his usual dexterity; assisting him are the Riders of the Purple Sage and Andy Devine.

The story concerns a silver mine in which Andy and the boys have invested, and which is supposedly worked out. Jane Frazee appears as the mine owner's secretary, and in her attempt to straighten things out, she pretends to be his daughter. By mistake she thinks that Rogers is against her, and constantly crosses up his attempts to help. Eventually they find that there still is precious metal in the mine and that Bill Regan, mining engineer, is a crook who is trying to gain its control.

Rogers contributes two songs and Devine provides good comic relief. Miss Frazee plays a city girl, a somewhat unusual heroine for a Western, but she does it competently. The entire production is effective for what Western fans want. Edward J. White was associate producer and William Witney directed. Gerald Geraghty wrote the original screen play.

Running time, 67 minutes. General audience classification. Release date, Nov. 15.

"Indian Agent"

(RKO Radio)

TIM HOLT and Richard Martin, his sidekick, find themselves involved in a series of rousing adventures while working as stagecoach guards in "Indian Agent," a better-than-average outdoor action drama.

Holt saves a stagecoach from attack by a group of warring Indians. The Indians, led by Noah Beery, Jr., are supposed to be confined to a reservation and Holt decides to find the reason causing the Indians to break the law. Later he and his partner find an Indian papoose in their cabin. The baby's mother brought her child to them because the Indians were starving. The Indian agent was stealing their food supplies. The sheriff suspects Holt of a murder committed by the Indian agent and sends him to jail. Holt is able to escape and prove his innocence by leading the sheriff to the guilty one. Nan Leslie appears as a newspaper editor who helps Holt expose the culprit. Herman Schlom produced and Lesley Selander directed, from a screenplay by Norman Houston.

Running time, 65 minutes. General audience classification. Release date. Dec. 11.

Video Bid by Para.

WASHINGTON, Nov. 22.—Paramount's Television Productions has applied to the Federal Communications Commission for a new experimental television relay station in Los Angeles. A similar application was filed by Warner last week.

December Premieres For 'Joan' in Work

Additional openings of Sierra Pictures' "Joan of Arc" are being scheduled for next month in Hollywood and Miami. Several theatres are available in each locality for simultaneous runs at advanced admission scales and the picture, accordingly, will have local premieres in more than one theatre.

Advanced admission scales where theatre owners request them and four-wall deals elsewhere are expected to maintain a uniform policy of increased prices for the Walter Wanger production in its premiere engagements.

Ullman Is Named Variety Barker

ALBANY, N. Y., Nov. 22.—Saul J. Ullman, upstate general manager of Fabian Theatres, was elected chief barker of the Variety Club here at a meeting this afternoon. Other officers are: Jack Bullwinkle, Columbia, first assistant chief barker; Leo Rosen, station WROW, second assistant; Joe Saperstein, Fabian, doughguy; Ed Wall, Paramount, property man.

Refuse Leslie Hearing

WASHINGTON, Nov. 22.—Supreme Court today again refused to give Joan Leslie a hearing in her dispute with Warner Brothers, which sued her for breach of contract. She claimed she was a minor when the contract was made and could not be held to it. California Superior Court said Warner could go ahead with its suit, and the actress asked the Supreme Court to review this. The high court refused twice. The case now goes back to California for trial.

Dallas Circuit Denies Link with Griffith

OKLAHOMA CITY, Nov. 22.—Theatre Enterprises, Inc., of Dallas, Texas, claimed today in a brief filed in Federal Court here that it is not a successor to two firms listed as original defendants in the Griffith anti-trust case. The brief was filed in reply to a Department of Justice petition asking that Theatre Enterprises be made a party in the case as a co-successor to R. E. Griffith Theatres, Inc., and Westex Theatres, Inc.

H. J. Griffith, one of three brothers named in the original case nine years ago, owns part of the Theatre Enterprises stock and is president of the firm, but other owners have no previous connection with the circuits, the brief contends.

Name Para. in Libel Suit on 'Ivers' Film

TULSA, Okla., Nov. 22.—An attorney who said he represents a minor child named Martha Ivers today filed a $100,000 libel suit against Paramount, producer of "The Strange Loves of Martha Ivers." Attorney Philip Davis refused to give the address of the girl, and his petition did not disclose it.

Brought by Celia C. Ivers who was described as "next friend" of the minor plaintiff, the suit claims the picture is a partial biography of the minor plaintiff.

M. P. Koch Seeks $80,000

LOS ANGELES, Nov. 22.—Raising a point considered unique in litigation here, Murray P. Koch, of San Francisco, has filed suit in Superior Court seeking the return of $80,000, plus interest, loaned to Beacon Pictures in 1946 in connection with financing the production of "Copacabana." Complainant asserts the defendant did not obtain authorization of the state corporation commissioner before transferring a 13.8 per cent interest in the picture to Koch in return for the loan, although repayment was to be made after four other claims had been satisfied.

Savage TRUTH...Stronger than Fiction!

FROM THE HOMICIDE FILES OF THE LOS ANGELES POLICE!



starring RICHARD BASEHART • SCOTT "CANON CITY" BRADY

A BRYAN FOY Production • An EAGLE LION FILMS Presentation

"Basehart out-Cagneys Cagney . . . one of the surprise sensations of the year!" —Dorothy Kilgallen—National Columnist



FARES REDUCED

on dependable

TWA

CONSTELLATIONS

Now enjoy the finest in air travel

at no extra fare!

The only Coast-to-Coast Constellations

TWA

TRANS WORLD AIRLINE

U.S.A. • EUROPE • AFRICA • ASIA

ourt to Rule Today n Victoria Pickets

New York State Supreme Court here expected to rule today on a peti- n for an injunction to prevent pick- ing of New York's Victoria Theatre members of the Screen Publicists d Screen Office and Professional mployes guilds, Maurice Maurer, anaging director of City Investment rp.'s theatre interests, said yester- y.

y Investment, which operates the ria, filed for an injunction last ek when the guilds' members passed t to passersby in front of the the- re circulars urging the public not to tronize the house because it was owing "Joan of Arc" which is be- g released by RKO Radio, one of e companies with which the unions ave been in dispute.

State Mediator Opens Sopeg Impasse Talks

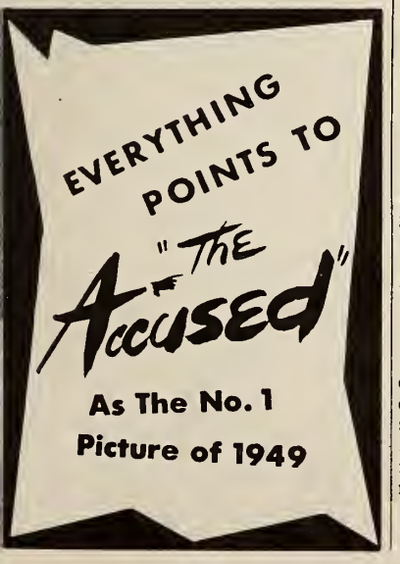
New York State Mediation Board hairman Arthur S. Meyer held pre- liminary discussions here last night with a committee of chapter represen- atives of Screen Office and Profes- ional Employes Guild (CIO) to ring about a settlement of the dead- lock which has existed between SOPEG and virtually all distributors ver the unions' failure to comply with the non-Communist affidavit provi- sions of the Taft-Hartley Law. Re- cently SOPEG's attorney reported he had filed the affidavit with the National Labor Relations Board.

It is expected that Meyer soon will call a similar conference with company representatives.

U-I, NAM Confer on Production Program

HOLLYWOOD, Nov. 22.—Thomas Wolff, writer employed by the Na- tional Association of Manufacturers, arrived here today to confer with Uni- versal-International officials on pos- sible production of shorts for NAM's industrial purposes. Wolff submitted a completed script for a two-reel subject. U-I's production department will prepare a budget in- dicating the cost to NAM, if ap- proved.

If NAM does not approve the budget, it is understood Wolff will submit the script to other studios for quotations on production cost.



New York Grosses

(Continued from page 1)

neighborhood of $60,000. "San Fran- cisco" and "Captains Courageous," re-releases, should provide the Gotham with a healthy $15,000 in an initial week.

"Joan of Arc" at the 1,049-seat Victoria, is on its way to a tremen- dous second week's gross of $55,000, only a little under the first week's take of close to $59,000.

Still taking big money is "Snake Pit" at the Rivoli where the third week's income is estimated at $49,- 000. "Blood on the Moon" at the Globe is good in its second week with $25,000 indicated. "Road House" is fair at the Mayfair which looks for $26,000 in a third week.

"You Gotta Stay Happy" with a stage show at the Music Hall figures to wind up a third and final week with a mild $105,000; it will be re- placed on Thursday by "Hills of Home." "Sealed Verdict" with Frankie Laine, Connie Haines and Jerry Wald's orchestra in person at the Paramount probably will wind up a third and final week with $58,000, which is not too big; it will be fol- lowed tomorrow by "Miss Tatlock's Millions."

Bowing out after four days of a third week, "Unfaithfully Yours" with Peter Lind Hayes, Mary Healy and Jack Cole on stage at the Roxy, took in about $32,000 Friday through yesterday, which is very slow; it will be succeeded today by "When My Baby Smiles at Me." At the Astor, "Song Is Born" should bring a mod- est $15,500 in a fifth week. "Three Musketeers" looks good for about $38,000 in a fifth week at the State.

"Hamlet," at the Park, continues at a capacity clip with $16,000 apparent for the eighth week. "Red Shoes" is likely to take a robust $15,000 in a fifth week at the Bijou. "Kiss the Blood Off My Hands," at the Cri- terion, is down to a meager $9,000 in the last five days, two short of a fourth week; it will be replaced to- morrow by "Southern Yankee."

Labor Struggle

(Continued from page 1)

is entitled to the same NLRB privi- leges enjoyed by the "IA."

Constant jockeying for legal posi- tion is expected of both unions, with each seen pressing for NLRB elec- tions among home office "white col- larites" whose shops are weighted against the other union. For exam- ple, Boudin is expected to insist that balloting be held first at 20th Cen- tury-Fox where, it is understood, "IA's" Motion Picture Home Office Employes Local No. H-63 has con- siderably less strength than it has at Republic and RKO Radio. H-63, which says it is certain of winning a victory at Republic, will want the first test between the two unions to be held there. The theory behind the jockeying will be that nothing suc- ceeds like success, hence whoever wins the initial election will have the ad- vantage in balloting elsewhere, ac- cording to union legalites. When H- 63 won the United Artists shop away from SOPEG several weeks ago, SOPEG was not on the ballot. Choice was "no union" or H-63.

SPG Will Seek Immediate New Contract Negotiations

CIO's Screen Publicists Guild, whose parent union is United Office and Professional Workers of Ameri- ca, has been instructed by its mem- bership to institute immediate nego- tiations with distributors' home offices on the basis of UOPWA's having complied recently with the non-Com- munist affidavit provisions of the Taft-Hartley Law, an SPG spokes- man reports.

UOPWA's having complied, the spokesman said, removes "the only stumbling block between us and ne- gotiations" with film companies which have refused to "do business" with SPG because of the non-Communist affidavit issue.

Industry Shorts to Video

HOLLYWOOD, Nov. 22.—The film in- dustry's public relations shorts, pro- duced by Grant Leenhouts under spon- sorship of the Academy of Motion Picture Arts and Sciences, will be made available for television on a non-sponsored basis, Leenhouts dis- closes. Four of the films are now completed with one shooting and 12 in preparation.

MacNamara Plan

(Continued from page 1)

is unknown to them and expressed doubt that it would fit into the agenda for the Dec. 15-17 meetings which Johnston has called for Hollywood.

Although approved by the Theatre Owners of America at its Chicago convention last September, the "Mac- Namara Plan" has been received with indifference by exhibitors in the field. Most of them believe better product is the answer to the industry's public re- lations problems and prefer improved selling of the product to further dilu- tion of advertising budgets for insti- tutionalized messages.

MPAA Votes

(Continued from page 1)

suade the company presidents that "greater militancy" was needed in the public relations drive.

Excerpts from the article, which dealt in the main with conditions which the American film industry is facing abroad, follow:

"The kind of criticism we do like to have and which carries weight with us comes from moviegoers who refer to a specific picture and register their likes and dislikes down to specific scenes.

"It's presumptuous and hazardous to be cocksure about the merits or demerits of an individual picture.

"The criterion for dealing with any subject on the screen is decency and good taste. Within that framework Hollywood must be free to deal with life as it is and literature as it is."

Holding that the industry's critics have one idea about the industry's "responsibility," and the industry itself another, Johnston wrote: "Hollywood is in business to make money, exactly like every publishing house, every newspaper, every radio station . . . "

"If we tried to make pictures with- in the narrow limits of the 'responsi- bility' set by our critics; if we de- liberately made propaganda pictures, our industry would not only go bust, but would be doing the worst possible service for America. The good among motion pictures far exceeds the bad. I wish the margin were narrower, but even as it is Hollywood has no need to blush about it."

In conclusion, Johnston wrote: "If our critics want a new and worthy is- sue for their pens, they might help us resist the steady throttling of the free flow of information around the world. The motion picture is being throttled now. What is next?"





IT CAN'T MISS

...being the funniest picture of the year!

"YOU GOTTA STAY HAPPY"

Whatta Thanksgiving for laughs!

CEA Shies at Hecht Tainted Marx Film

LONDON, Nov. 22.—W. R. Fuller, secretary of the Cinematograph Exhibitors Association, has written to David Coplan, United Artists managing director here, telling him that if a report that Ben Hecht will share in profits of the next Marx Brothers film is true, Coplan should persuade U.A. not to bring the film here.

The CEA, irritated by Hecht's anti-British expressions in consequence of the Palestine question, is endeavoring to ban future films with which Hecht is associated.

CEA Asks

(*Continued from page* 1)

January. Many details, including rental terms, are to be settled before the one-year experimental period starts. Theatres still must be wired, too.

J. Arthur Rank will make a beginning with four theatres. He will use an electronic large-screen projector with a 27-inch mirror system. The receiving aerial, it is planned, will be on the theatre's roof and connected with a control console in the projection room. The projector will be in the theatre auditorium, approximately 50 feet from the 16-by-12-foot screen and controlled from the projection room.

Associated British Pictures Corp. is applying for equipment to be installed in three London theatres. It plans to provide a half-hour television feature in every program. ABPC also has plans for establishment of television studios. Careful testing of audience reactions to the television programs is planned in the theatres.

Rank's first experimental television film is now in production at his Elstree Gate studio, with television methods, such as the director ensconced in the control room observing the action on the monitor-screen, being employed. Rank's advisers believe the method ultimately will cut production costs.

Mono., UK Pathe

(*Continued from page* 1)

from London of Monogram-International president Norton V. Ritchey.

About a year ago talks were initiated between the British and U. S. companies in connection with possible mutual sponsorship of production of four pictures in Hollywood and four in England, with world-wide distribution profits on the British-made films to be shared by Pathe and Monogram-AA 50-50 in pounds, and world-wide profits on the American pictures to be shared 50-50 in dollars.

Ritchey was not available here yesterday for comment on the extent to which the original proposal has been modified, if at all. It is understood, however, that Broidy on the Coast is examining the contract said to have been signed recently by Ritchey and William Moffat, managing director of Pathe, in London.

Morris Named Altec Product Sales Chief

H. S. Morris has been raised to products sales manager of Altec Service Corp. in an organization move that will materially expand the sales organization, according to H. M. Bessey, executive vice-president.

Morris, who was formerly Eastern representative of Altec Lansing, manufacturing subsidiary, will be responsible for sales in the East, Mid-West and South.

U. K. Loans

(*Continued from page* 1)

power except in the most unusual cases.

FFC will have $20,000,000 to finance producers. Some $4,000,000 has been loaned already to British Lion and around $80,000 to Exclusive Films.

Indication of the fashion in which the Corporation plans to protect the advances it makes to distributors is seen in a mortgage executed by British Lion. The latter's production, "The Winslow Boy," currently is playing around the Associated British circuit. The mortgage secures $400,000 and constitutes a first charge on British Lion's share of receipts in connection with the exhibition and exploitation of the film at ABC houses.

FFC's $4,000,000 advance to British Lion takes the form of a four per cent debenture issued to FFC.

Theatre Units

(*Continued from page* 1)

business during the first half of the year continued at the 1947 rate, while the number of firms leaving the field —for merger, sell-out, or just plain shut-down—went up sharply over the 1946 and 1947 rate. In the first half of 1947, about 600 firms began operating theatres. During all of 1946, about 1,000 went into the business and during 1947 about 1,200. Some 400 firms shut up shop or sold out during the first six months of this year, compared with 400 in all of 1946 and 500 all last year. Commerce officials explained that the number of firms going into the business less the number leaving the business does not add up exactly to the net gain during the six months period because "all figures are rounded off to even hundreds."

Short Subject

"Country Fair"

(This Is America—RKO Pathe)

The country fair is one of the co try's most famous institutions. In entertaining and informative fash the latest This Is America sub goes behind the scenes to show how typical farm family prepares for big event. The subject reaches its spot when fair-time rolls arou Cameras catch the thrill of the with its carousels, trotting races, e and finally the judging of produ submitted by farmers. Running ti 18 minutes.

Rank Plans

(*Continued from page* 1)

age since reopening of the studio 1946. Pinewood's activation also is line with Rank's pledge to his stoc holders to effect economies in produ tion and is a new step in his gigan reorganization program. It promis to permit the keeping of a tight hold on Rank's producers.

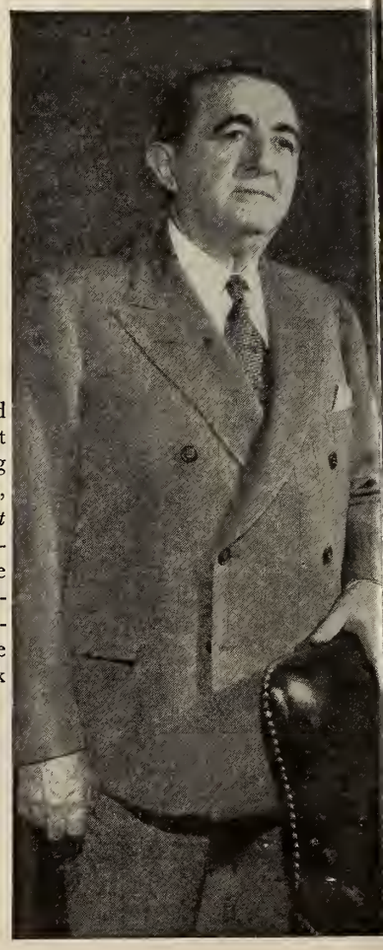
WB's Sokley Promoted

John Sokley, Warner office ma ager in Chicago, has been promoted the sales force there by Ben Kalme son, Warner distribution vice-pres dent, with Arthur M. Weinberge New York office manager, switchin to Chicago to replace Sokley and C Leeder, home office booker for Wa ner Pathe News going to the Ne York vacancy. Changes are effecti Nov. 29.

Mr. David Weinstock,
President,
Raybond Theatres Corp.,
and Chairman of the Board,
Independent Theatre Owners
Assn. of N.Y., says:

"WE'RE GLAD TO BE BACK WITH ALTEC AGAIN"

"It's a matter of confidence and peace of mind to me to know that our sound equipments are being taken care of by an organization that, in case of trouble, gives me *prompt* service. Since taking over the servicing of my theatres Altec has made important recommendations to further improve sound quality and performance. We are happy they are working for us. We're glad to be back with Altec again."



ALTEC
SERVICE CORPORATION
161 Sixth Avenue
New York 13, N. Y.

THE SERVICE ORGANIZATION OF THE MOTION PICTURE INDUSTRY

FILE COPY
DO NOT REMOVE

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 4. NO. 101 NEW YORK, U.S.A., WEDNESDAY, NOVEMBER 24, 1948 TEN CENTS

'A' Moves for Wage Raises At Exchanges

Talks Open Here on New Pact for 6,300 Workers

IATSE representatives and a distributors' committee yesterday opened negotiations here on a new union contract covering more than 6,300 film exchange employes in 32 exchange cities. Queried on whether "IA" will seek wage increases for workers, a distributors' committee spokesman replied: "Naturally." He declined to state the position the companies will take in that connection, and "IA" refused to comment.

Present one-year contracts will expire on Dec. 1. Signed last February after three months of almost continuous negotiations, it provided for a 5 per cent cost-of-living general pay increase amounting to a total of $1,719,000 for the year, involving about $400,000 in retroactive wages.

Representing "IA" in the current negotiations as special appointees of the "IA" international president Richard

(*Continued on page* 10)

NLRB Sets Dec. 8 For RKO Election

National Labor Relations Board here yesterday set Dec. 8 for a consent election among RKO Radio's home office "white collarites" to determine whether they shall be represented for collective bargaining purposes by AFL's IATSE or CIO's Screen Office and Professional Employes Guild, or whether "no union" shall prevail at the shop formerly held by SOPEG. It will be the first election in which both "IA" Motion Picture Home Office Employes Local No. H-63 and SOPEG are included on the same ballot, at least in their current

(*Continued on page* 10)

20th-Fox Discussing Purchase of ABC

Twentieth Century-Fox has been negotiating for outright purchase of American Broadcasting, including radio and television facilities, for the past six weeks, Spyros P. Skouras disclosed here yesterday. Details of the terms were not revealed.

Rodgers Sets 17 Releases

M-G-M's releasing program for the six months starting Dec. 1 has been mapped by William F. Rodgers, sales vice-president. During the period there will be 17 releases, two of which will be "Masterpiece Reprints." This compares with 16, of which there were three reprints, for the same months of 1947-48. Eight of the new pictures are in Technicolor.

With four scheduled for December, the number of features to be released in 1948 will total 29, of which four are reprints, compared with 30 for 1947, of which two were reprints.

The four December releases will be "Hills of Home," Technicolor, to open at Radio City Music Hall tomorrow; "Words and Music," in Technicolor, to open at the Rockefeller Center showplace next month; "San Francis-

(*Continued on page* 10)

Paramount to Buy Cars for Salesmen

Paramount Pictures has completed arrangements whereby their salesmen will be supplied with 1949 Ford sedans to be bought and maintained for the salesmen for official use. Deal for the fleet of automobiles, which was concluded by Charles M. Reagan, sales vice-president, with Peterson, Howell and Heather of Baltimore, will also permit salesmen unlimited personal use of the new car at the rate of two cents per mile.

The automobiles will carry no identifying advertising matter and the employes will be able to dispose of their present, personally-owned cars in the current favorable market, the company declared. Delivery of the new cars will begin at once, with the full quota to be in the salesmen's possession by Jan. 1.

'Brotherhood Week' Observance Mapped

Plans for industry participation in "Brotherhood Week," next Feb. 20-27, were discussed at a luncheon-meeting here yesterday of the executive committee of the National Conference of Christians and Jews amusement division, held at the Waldorf-Astoria Hotel.

Ned E. Depinet, industry chairman for Brotherhood Week, appointed Spyros Skouras, 20th Century-Fox president, as chairman of the newsreel division for the observance. Charles

(*Continued on page* 11)

Selznick Continues Own Distribution

SRO will in all likelihood continue to distribute its product, for a while at least, following last week's collapse of negotiations for United Artists distribution, it was indicated here yesterday by a Selznick Releasing Organization spokesman.

It was further indicated that if and when a distribution arrangement is effected, it will not be with a major company. Eagle-Lion has been mentioned in this connection.

'20 Glorious Years' Recorded by Allied

"Twenty Glorious Years," an elaborately-mounted 42-page brochure narrating the organization, activities and accomplishments of Allied States Association has been published by that organization as a souvenir of Allied's 1948 national convention in New Orleans and in commemoration of the association's 20 years of service to the motion picture theatre owners. The convention will be held next Monday through Wednesday at New Orleans' Roosevelt Hotel.

Recounting Allied's history from the launching on Dec. 17, 1928, of "a strong national organization that

(*Continued on page* 11)

E-K Decree Changes Ordered by Court

LOS ANGELES, Nov. 23.—Consent decree in the government-Eastman Kodak case today was rejected in its present form by Federal Judge William C. Mathes, and turned back to government and company counsel for resubmission on Jan. 7.

The jurist ruled that the decree was not sufficiently specific in its provisions on making Eastman patents available to all users, and instructed counsel to

(*Continued on page* 10)

Enterprise Planning To Resume: Einfeld

Enterprise Productions eventually will resume production, according to co-founder Charles Einfeld, now vice-president-elect of 20th Century-Fox, who admitted, however, that this might not be for some time.

Einfeld said that David Loew, his partner in the company, will be at the helm while he, Einfeld, will with-

(*Continued on page* 6)

Para. Hearings Postponed by Court Again

Now Set for Dec. 20 for Convenience of Jurists

A new postponement of the remanded hearings in the government anti-trust suit against the industry has set the case back now to Dec. 20 before the three-judge Federal expediting court here.

The second postponement of the case within the past few days was agreed to by government and defense attorneys for the convenience of the court, and was not requested by either.

The previous postponement, from Nov. 29 to Dec. 13, was requested by government and defense attorneys who required additional time to prepare data on joint theatre ownerships and acquisitions. It developed

(*Continued on page* 10)

Isley Circuit Files $498,000 Trust Suit

LOS ANGELES, Nov. 23.—Phil Isley Theatres, owners of the recently completed Pickwood Theatre, filed a treble damage suit for $498,000 today against major distributors, National Theatres and Fox West Coast. Charging the defendants with violation of the anti-trust act, the plaintiff maintained the area's first runs in-

(*Continued on page* 10)

Industry Shorts on Non-Profit Basis

"Non-profit" rentals for the four industry public relations short subjects, produced as a joint industry project, was indicated here yesterday following a screening of the films for distribution executives at the RKO home office yesterday.

The sales executives, comprising the National Distributors Committee, will

(*Continued on page* 11)

No Paper Tomorrow

***Motion Picture Daily* will not be published tomorrow, Thanksgiving Day, a legal holiday.**

Personal Mention

TED R. GAMBLE, Theatre Owners of America chairman, arrived in New York yesterday from Portland, Ore., and will remain until Dec. 3 when he will leave for Dallas to attend the Variety Club testimonial to R. J. O'DONNELL. Also arriving here yesterday was ARTHUR LOCKWOOD, TOA president, from Boston.

•

MO WAX, publisher of *Film Bulletin,* and MRS. WAX have become parents of their third child, a son, born last week at Woman's Hospital, Philadelphia.

•

GORDON E. YOUNGMAN, RKO Radio vice-president and general counsel, was confined to his home yesterday with a sore throat.

•

GORDON CRADDOCK, JR., has joined the Eagle-Lion sales force in Cleveland, succeeding JACK WALSH, resigned.

•

TRAVIS HOPKINS has become manager of Switow Amusement's Indiana Theatre in Salem, Ind., succeeding ROY PITTS, resigned.

•

JACK KING, formerly associated with Eagle-Lion in Atlanta, has been named special representative for Realart in Florida.

•

PATRECE SNYDER, Eagle-Lion radio publicity-advertising manager, has become engaged to DR. ROBERT L. SHERMAN.

•

SI SEADLER, M-G-M advertising manager, will leave here Friday for the Coast.

•

HERBERT G. DRAKE, Macfadden Publications sales vice-president, left here yesterday for the Coast.

•

DAVID D. HORNE, Film Classics foreign sales manager, will leave here Friday for London and the Continent.

•

CARROLL PUCIATO, Realart general manager, is in Denver from New York.

•

J. F. O'BRIEN, sales manager of the RCA theatre equipment section, is on a Western business tour.

•

LORRAINE MILLER, actress, is due here today by plane from Rome.

Sam Lake Is Named Kosiner's Assistant

Sam Lake has been appointed assistant to Harry Kosiner, sales manager for Edward Small Productions.

Lake, formerly on Paramount's New York sales force, was most recently associated with the Selznick Releasing Organization.

RKO Board Meets Today

Radio-Keith-Orpheum's board of directors is scheduled to hold here today what is described as a "routine" meeting.

Insider's Outlook

By RED KANN

GRADUALLY, the boundless area discussed at those all-industry conferences in New York last week is taking more definitive shape. These several paragraphs will be confined to one phase—public relations and what about them.

Like loving your neighbor, everyone agrees that good public relations are proper and, of course, desirable. But the ways and means—and, of prime consideration, who to do the job—are some of the vital determinations implicit in the situation.

Verified information coming our way sets forth the position of the Johnston office in the following equations:

That the MPAA has been aware of the problem, and its need, and has been doing something about it since Johnston replaced Will H. Hays.

That there are several methods of approach, one being the tactic of being everyone's friend and treading softly, which also probably means progressing slowly. The other is to get tougher standing up to critics and criticism with less apology than has been characteristic of industry policy at top levels.

The statement has been advanced that even the company presidents were not fully familiar with various activities claimed for the Johnston office in this direction. Therefore, they were told last week.

■

They were also asked what kind of an avenue they wanted to travel, the compromise or the hard-hitting. To illustrate the latter, excerpts from Johnston's article, "Report from Europe," which appeared in *The Screen Writer,* of the Screen Writers Guild, were read aloud. Portions ran in the news columns yesterday, but also pertinent were these:

"The American motion picture is somewhat in the position of a candidate for office who suddenly finds himself surrounded by a clamoring horde of would-be strategists, policy-makers, campaign managers of one kind or another, but mostly would-be brain-trusters who are out of touch with the voters. . . .

"I confess, frankly, that we make some bad pictures. No one in the industry denies it. Certainly I don't. I am presently disturbed at the excess of violence and brutality in some of the pictures, and steps are being taken against this trend. . . .

"Hollywood shares the common plight of all creative endeavors. The shelves are full of bad books, the magazines get stuck with bad stories; the theatre doesn't come through with a classic drama every week in the year. The good among motion pictures far exceeds the bad. . . .

"In trying to legislate the British public into theatres to see British pictures, I think the British producers will find that they are, instead, legislating the people out of the theatres and legislating themselves into a depression which will drag British exhibitors down with them."

What they heard, industry executives liked. Liking it, they agreed militancy had its merits and ought to prevail. From here out, this is understood to be the cue. And now we shall see.

■ ■

From the general drift of things, one would think the industry has slipped from a front-row seat on the edge of an economic volcano into the inferno itself. But since this is ever a business of contradictions, along came 20th Century-Fox last Friday with a net of $9,119,613 for 39 weeks to September 25 on an income of $121,432,769, which puts the earnings on the basis of about 7½ per cent. It is down compared to the net of $10,608,098 for the same period of the preceding year, but the black continues heavily in evidence. The following day, Paramount estimated its nine months' net at $20,015,000, a decline of $5,497,000 from the previous identical period, but likewise boldly in the black.

Business can't be so bad in Canada, either. Distribution there did $19,464,706 in film rentals in 1947, or an increase of $811,814 over '46.

■ ■

Discussing the practice of excerpting New York newspaper reviews for advertising purposes, Archer Winsten of the New York *Post* winds up on an attack with this:

"The reviewers of the metropolitan dailies are honest, with one exception, and they are permitted to give their full reactions, with one other exception. They try hard to balance the good against the bad in the film they review. But they do become the tools of a shell game when only one aspect of their opinions is utilized in an enormous and compelling advertisement."

Question to Winsten: Is this a confession or an accusation?

Newsreel Parade

PEOPLE in the news, includ President Truman, Secretary M shall and Mrs. Kasenkina, are curr newsreel highlights. Other items clude a new jet fighter, football fashions. Complete contents follow:

MOVIETONE NEWS, No. 94—Pr dent Truman goes back to work. Town Kansas buried in blizzard. Mrs. K quits hospital after 99 days. Nav subj ation. Pigskin parade.

NEWS OF THE DAY, No. 224—" Kasenkina drama. President Truman e vacation and confers with Secretary M shall. A baby chimp's day. Football.

PARAMOUNT NEWS, No. 27—La jet: Navy's flying-wing fighter. Hollyw stars off to London via Canada. Busy Pr ident. Football.

UNIVERSAL NEWSREEL, No. 19 Weather: Blizzard hits West; it's spring the East. Truman and Marshall confer crisis. Navy tests jet fighter. Football.

WARNER PATHE NEWS, No. 2 People in the news: Truman, Marsh Kasenkina, Salvador Dali. "GI"s st Russian. Kid fashions. Aviation. B chimp. Football.

RKO Sales Meetin In NY on Nov. 29-3

Robert Mochrie, RKO Radio sal vice-president, has called a two-d meeting of the company's distri managers, to be held in the Waldo Astoria Hotel, New York, on No 29-30. Ned E. Depinet, RKO pres dent, will head the home office del gation which will also include Har J. Michalson, short subject sales ma ager; Walter E. Branson, Nat Le and Charles Boasberg, Western, Eas ern and North-South division sal managers, respectively.

District managers in attendan will include: Metropolitan, L. Gruenberg; Northeastern, Gus Schae er; Eastern, R. J. Folliard; East Ce tral, M. E. Lefko; Midwestern, H. Greenblatt; Prairie, R. V. Nolan Rocky Mountain, Al Kolitz; Weste J. H. MacIntyre; Southeastern, Davi Prince; Southwestern, Ben Y. Can mack; Canadian, L. M. Devaney.

FJP Amusement Uni Will Honor O'Dwyer

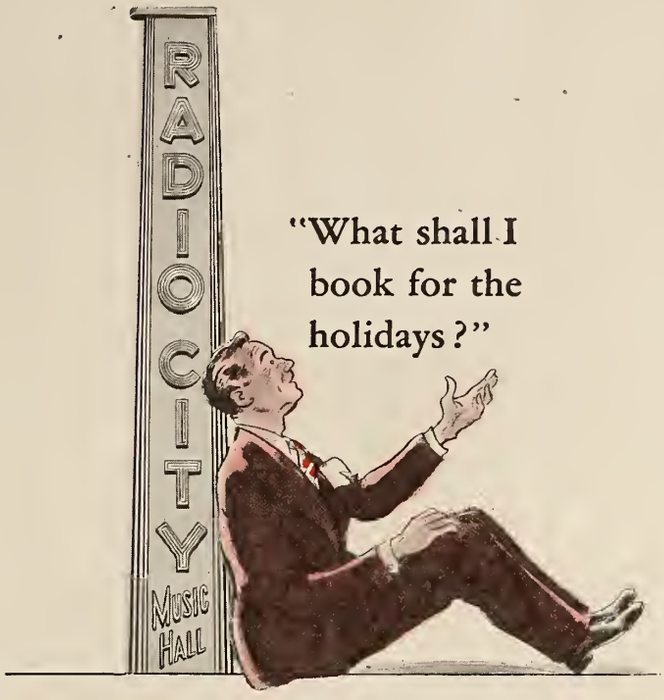
Mayor William O'Dwyer will b honored by leaders of the amusemen industry on Tuesday, Dec. 14, whe amusement division executives hol their annual luncheon on behalf of th Federation of Jewish Philanthropies o New York, in the Hotel Astor.

Leaders in the film and allied indus tries, headed by Fred Schwartz, vice president of Century Theatres an chairman of the FJP amusement divi sion, will be on the dais.

Reiner, Selznick Confer

HOLLYWOOD, Nov. 23. — Manny Reiner, managing director for Latin America and Australasia for the Selznick Releasing Organization, arrived in Hollywood today by plane from Buenos Aires for conferences with David O. Selznick, Paul MacNamara, Daniel T. O'Shea, E. L. Scanlon and other SRO executives. First subject under discussion will be the launching of "Portrait of Jennie" abroad.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.



IF YOU RAN RADIO CITY MUSIC HALL!

You'd be mighty careful what pictures you selected for your precious Thanksgiving, Christmas and New Years time.

You'd look over all the available product and get the best.

That's what the Music Hall did!

They booked M-G-M's Technicolor "HILLS OF HOME" for Thanksgiving to be followed by M-G-M's Technicolor "WORDS AND MUSIC" for Christmas and New Years.

Here's more proof that the Music Hall picks them wisely. The national theatre gross of its recent attraction "JULIA MISBEHAVES" has now topped Technicolor "DATE WITH JUDY" another M-G-M Music Hall record-breaker!

From Coast-to-Coast they're saying: "M-G-Merry Christmas! M-G-Moneyful New Year!"



In its firs

Rivoli, N. Y., and i

the Garrick, Chic

has definitely esta

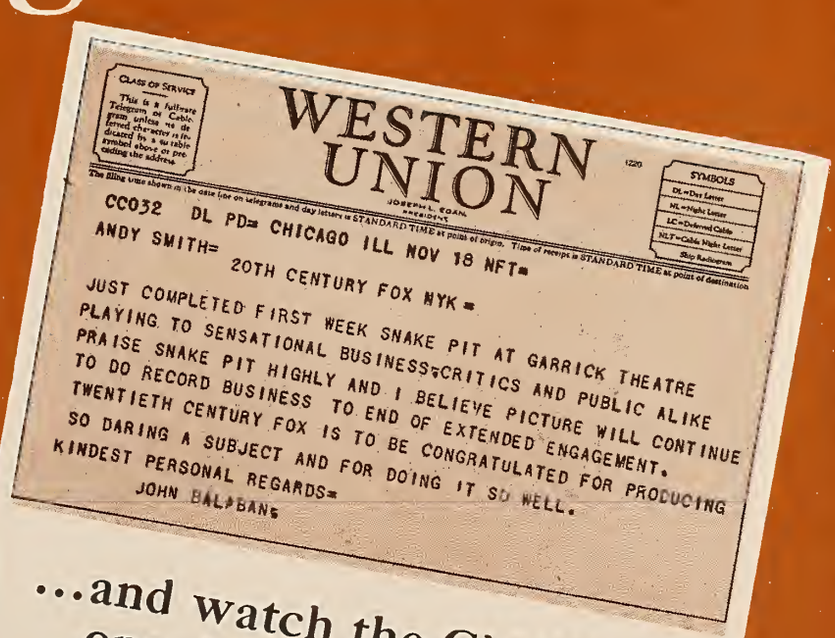
attraction of bo

SURPASSING "The

office picture of 1

"GENTLEMAN'S AGREEMENT" as announced in Boxo

3 weeks at the
ts first 2 weeks at
o, the Snake Pit
shed itself as an
ffice magnitude
eatest box-
7-48!"*


WESTERN UNION

JOSEPH L. EGAN, PRESIDENT

SYMBOLS
DL = Day Letter
NL = Night Letter
LC = Deferred Cable
NLT = Cable Night Letter
Ship Radiogram

CLASS OF SERVICE
This is a full-rate Telegram or Cable-gram unless its de-ferred character is indi-cated by a suit-able symbol above or pre-ceding the address.

The filing time shown in the case hereon telegrams and day letters is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination

CC032 DL PD= CHICAGO ILL NOV 18 NFT=
ANDY SMITH=
20TH CENTURY FOX NYK=

JUST COMPLETED FIRST WEEK SNAKE PIT AT GARRICK THEATRE PLAYING TO SENSATIONAL BUSINESS. CRITICS AND PUBLIC ALIKE PRAISE SNAKE PIT HIGHLY AND I BELIEVE PICTURE WILL CONTINUE TO DO RECORD BUSINESS TO END OF EXTENDED ENGAGEMENT. TWENTIETH CENTURY FOX IS TO BE CONGRATULATED FOR PRODUCING SO DARING A SUBJECT AND FOR DOING IT SO WELL.
KINDEST PERSONAL REGARDS=
JOHN BALABAN=

...and watch the Christmas opening in Los Angeles!

20th CENTURY-FOX

Estimates of Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

CHICAGO

For Thanksgiving week, several Loop theatres have some very solid box-office pictures, and the results are showing up well. Both "Loves of Carmen" and "When My Baby Smiles at Me," with Burt Lancaster in person, are showing profitable returns. Holdovers, too, are generally commanding heavy traffic. Estimated receipts for the week ending Nov. 25:

THE HOUSEKEEPER'S DAUGHTER (UA) and YOUNG AND WILLING (UA)—APOLLO (1,200) (50c-65c-98c). Gross: $5,000. (Average: $12,000)

JOHNNY BELINDA (WB)—STATE LAKE (2,700) (50c-65c-98c) 4th week. Gross: $23,00. (Average: $25,000)

THE LOVES OF CARMEN (Col.)—CHICAGO (3,900) (50c-65c-98c) On stage: Bert Wheeler, Rose Marie. Gross: $57,000. (Average: $53,000)

LET'S LIVE A LITTLE (EL)—UNITED ARTISTS (1,700) (50c-65c-98c) 5 days, 2nd week, and **THE RETURN OF OCTOBER (Col.)** 2 days. Gross: $14,000. (Average: $20,000)

NIGHT HAS A THOUSAND EYES (Para.)—ROOSEVELT (1,500) (50c-65c-98c) Gross: $17,000. (Average: $18,000)

THE SAXON CHARM (U-I)—PALACE (2,500) (50c-65c-98c) 5 days, and **KISS THE BLOOD OFF MY HANDS (U-I)** 2 days. Gross: $20,000. (Average: $21,000)

SHE (RKO Radio)—LAST DAYS OF POMPEII (RKO Radio)—GRAND (1,150) 3rd week. Gross: $14,000. (Average: $11,500)

THE SNAKE PIT (20th-Fox)—GARRICK (1,000) (50c-98c) 2nd week. Gross: $24,000. (Average: $10,000)

A SONG IS BORN (RKO Radio)—WOODS (1,080) (98c) 5th week. Gross: $16,000. (Average: $23,000)

WHEN MY BABY SMILES AT ME (20th-Fox)—ORIENTAL (3,300) (50c-98c) On stage: Burt Lancaster. Gross: $58,000. (Average: $45,000)

CINCINNATI

Except for "Red River," which is holding up unusually well in its third week at Keith's, grosses generally are registering average or below. Weekend weather was cold. Estimated receipts for the week ending Nov. 23:

JUNE BRIDE (WB)—RKO SHUBERT (2,150) (50c-55c-60c-65c-70c-75c) 2nd week on a moveover from the Albee. Gross: $5,000. (Average: $5,000)

KISS THE BLOOD OFF MY HANDS (U-I)—RKO ALBEE (3,300) (50c-55c-60c-65c-70c-75c). Gross: $13,000. (Average: $15,000)

MISS TATLOCK'S MILLIONS (Para.)—RKO PALACE (2,700) (50c-55c-60c-65c-70c-75c). Gross: $15,000. (Average: $15,000)

NO MINOR VICES (M-G-M)—CAPITOL (2,000) (50c-55c-60c-65c-70c-75c). Gross: $7,000. (Average: $10,00)

RED RIVER (UA)—KEITH'S (1,500) (50c-55c-60c-65c-75c) 3rd week. Gross: $8,500. (Average: $7,500)

ROAD HOUSE (20th-Fox)—RKO LYRIC (1,400) (50c-55c-60c-65c-70c-75c) 2nd week, on a moveover from the Palace. Gross: $5,500. (Average: $5,000)

SEALED VERDICT (Para.)—RKO GRAND (1,500) (50c-55c-60c-65c-70c-75c) Gross: $8,500. (Average: $8,000)

BOSTON

The weather still remains good. The Harvard vs. Yale and Boston College vs. St. Mary's football games brought to Boston about 90,000 persons, which helped grosses. Estimates for the week ending Nov. 24:

HAMLET (U-I-Rank)—BEACON HILL (780) (90c-$2.40) 2nd week. Gross: $6,500.

JOHNNY BELINDA (WB) and HOMICIDE FOR THREE (Rep.)—METROPOLITAN (4,367) (40c-80c) 4th week. Gross: $29,750. (Average: $27,000)

JULIA MISBEHAVES (M-G-M) and BIG CITY (M-G-M)—STATE (3,500) (40c-80c) 5 days. Gross: $17,000. (Average: $12,000)

JULIA MISBEHAVES (M-G-M) and BIG CITY (M-G-M)—ORPHEUM (3,000) (40c-80c) 5 days. Gross: $22,000. (Average: $27,000)

LAST DAYS OF POMPEII (RKO Radio) and SHE (RKO Radio)—RKO-BOSTON (3,200) (40c-80c). Gross: $16,000.

LOUISIANA STORY (Robert Flaherty) and LE PERE TRANQUILLEOR—EXETER (1,300) (40c-80c) 4 days. Gross: $3,500. (Average: $5,000)

THE MIKADO (U-I-Prestige) and MAN OF EVIL (Rank)—EXETER (1,300) (40c-80c) 3 days. Gross: $1,500.

RED SHOES (E-L-Archer-Rank)—MAJESTIC (1,089) (90c-$2.40). Gross: $13,500.

SEALED VERDICT (Para.) and MILLION DOLLAR WEEKEND (E-L)—PARAMOUNT (1,700) (40c-80c) 2nd week. Gross: $14,000. (Average: $17,000)

SEALED VERDICT (Para.) and MILLION DOLLAR WEEKEND (E-L)—FENWAY (1,373) (40c-80c) 2nd week. Gross: $5,200. (Average: $6,000)

A SONG IS BORN (RKO Radio) and IN THIS CORNER (E-L)—ASTOR (1,373) (40c-80c). Gross: $15,500.

THE THREE MUSKETEERS (M-G-M)—STATE (3,500) (40c-80c) 2 days. Gross: $6,000.

THE THREE MUSKETEERS (M-G-M)—ORPHEUM (3,000) (40c-80c) 2 days. Gross: $9,000.

WHEN MY BABY SMILES AT ME (20th-Fox) and BUNGALOW 13 (20th-Fox)—RKO-MEMORIAL (3,000) (40c - 80c). Gross: $23,000. (Average: $22,000)

INDIANAPOLIS

First-run business is feeling some effect of the competition from Sonja Henie's ice show, now in the first week of an 18-day run at the Coliseum, where it is drawing audiences of 10,000 or more nightly. Near average is tops. Estimates for the week ending Nov. 22-24:

THE HUNTED (AA-Mono.) and THE DUDE GOES WEST (AA-Mono.)—LYRIC (1,600) (44c-65c). Gross: $5,500. (Average: $6,000)

JUNE BRIDE (WB) and INNER SANCTUM (FC)—KEITH'S (1,300) (44c-65c) 6 days, on a moveover from the Circle. Gross: $5,000. (Average: $4,000 for 7 days)

KISS THE BLOOD OFF MY HANDS (U-I) and ESCAPE (20th-Fox)—INDIANA (3,200) (44c-65c). Gross: $11,000. (Average: $12,000)

THE NIGHT HAS A THOUSAND EYES (Para.) and DISASTER (Para.)—CIRCLE (2,800) (44c-65c). Gross: $9,500. (Average: $10,000)

THE RETURN OF OCTOBER (Col.) and LEATHER GLOVES (Col.)—LOEW'S (2,450) (44c-65c). Gross: $11,500. (Average: $11,000)

TORONTO

Most top Toronto theatres maintained a high pace during the week but smaller houses felt the problem of blackouts which are causing curtailment of performances to dovetail with electricity cutoff periods running almost three hours daily from Monday to Friday. Heavy opposition was encountered in the Royal Winter Fair and football finals. Estimated receipts for the week ending Nov. 25:

APARTMENT FOR PEGGY (20th-Fox)—IMPERIAL (3,343) (20c-36c-50c-66c-90c) 6 days. Gross: $17,600. (Average: $14,600)

THE BEST YEARS OF OUR LIVES (RKO Radio)—ODEON-TORONTO (2,319) (30c-35c-50c-60c-70c-80c-$1.20) 6 days, 5th week. Gross: $12,000. (Average: $15,000)

BLACK EAGLE (Col.) and I SURRENDER DEAR (Col.)—NORTOWN (950) (20c-42c-60c) 6 days. Gross: $4,000. (Average: $4,500)

BLACK EAGLE (Col.) and I SURRENDER DEAR (Col.)—VICTORIA (1,240) (20c-36c-42c-60c) 6 days. Gross: $5,000. (Average: $5,500)

JULIA MISBEHAVES (M-G-M)—LOEW'S (2,074) (20c-36c-50c-66c-78c) 6 days 4th week. Gross: $12,700. (Average: $14,200)

JUNE BRIDE (WB)—SHEA'S (2,480) (20c-36c-50c-66c-90c) 6 days, 3rd week. Gross: $13,200. (Average: $14,700)

NO MINOR VICES (M-G-M) and THE SECRET LAND (M-G-M)—UPTOWN (2,761) (20c-36c-50c-66c-90c) 6 days. Gross: $10,600. (Average: $10,600)

ROAD HOUSE (20th-Fox)—EGLINTON (1,086) (20c-36c-50c-66c) 6 days, 2nd week. Gross: $5,400 (Average: $6,400)

ROAD HOUSE (20th-Fox)—TIVOLI (1,434) (20c-36c-50c-66c) 6 days, 2nd week. Gross: $6,700. (Average: $7,700)

SALLY, IRENE AND MARY (20th-Fox reissue) and SECOND HONEYMOON (20th-Fox reissue)—DANFORTH (1,400) (20c-36c-50c-60c) 6 days. Gross: $5,000. (Average: $5,500)

SALLY, IRENE AND MARY (20th-Fox reissue) and SECOND HONEYMOON (20th-Fox reissue)—FAIRLAWN (1,195) (20c-36c-50c-55c) 6 days. Gross: $4,500. (Average: $4,700)

WYOMING (Rep.) and SECRET SERVICE INVESTIGATOR (Rep.)—BILTMORE (938) (15c-30c-36c-55c) 6 days. Gross: $4,000. (Average: $4,500)

KANSAS CITY

The weather was sharp enough to make warm theatres inviting. Fred Waring drew nearly 12,000 to the Municipal Auditorium and an overflow to theatres, Sunday afternoon and night being extra good at first-runs. Holdovers are doing well. Estimated receipts for the week ending Nov. 23-26:

BELLE STARR'S DAUGHTER (20th-Fox)—FAIRWAY (700) (45c-65c). Gross: $1,350. (Average: $1,750)

BELLE STARR'S DAUGHTER (20th-Fox)—TOWER (2,100) (45c-65c). Gross: $6,000. (Average: $8,000)

BELLE STARR'S DAUGHTER (20th-Fox)—UPTOWN (2,000) (45c-65c). Gross: $4,500. (Average: $6,000)

JOHNNY BELINDA (WB)—PARAMOUNT (1,900) (45c-65c) 3rd week. Gross: $10,000. (Average: $10,000)

JULIA MISBEHAVES (M-G-M) and SEARCH (M-G-M)—MIDLAND (3,500) (45c-65c) 2nd week. Gross: $14,500. (Average: $14,500)

SON OF DRACULA (Selected Pictures) and THE GHOST OF FRANKENSTEIN (Selected Pictures)—ESQUIRE (800) (45c-65c). Gross: $4,250. (Average: $5,000)

STATION WEST (RKO Radio) and SMART GIRLS DON'T TALK (WB)—ORPHEUM (1,900) (45c-65c). Gross: $13,000. (Average: $10,000)

ATLANTA

Business is mostly above average, with weather fair and cold. The circus has left town and business is expected to get better. Estimated receipts for the week ending Nov. 24:

CRY OF THE CITY (20th-Fox)—PARAMOUNT (2,446) (12c-50c). Gross: $5,900. (Average: $5,800)

GOOD SAM (RKO Radio)—ROXY (2,446) (12c-50c). On a moveover from the Fox. Gross: $5,600. (Average: $5,800)

JULIA MISBEHAVES (M-G-M)—LOEW'S GRAND (2,446) (17c-54c) 2nd week. Gross: $13,500. (Average: $15,000)

WAGONS WESTWARD (Rep.) and SILVER QUEEN (UA)—TOWER (1,865) (17c-54c). Gross: $5,900. (Average: $5,800)

WHEN MY BABY SMILES AT ME (20th-Fox)—FOX (4,446) (12c-50c). Gross: $15,000. (Average: $15,000)

DENVER

"Miss Tatlock's Millions" is being held at the Denham after a big week. The snowstorm threw many grosses for a loss. Estimated receipts for the week ending Nov. 24:

JOHNNY BELINDA (WB) and WINNER TAKE ALL (Mono.)—DENVER (2,525) (35c-74c). Gross: $15,000. (Average: $13,500)

JOHNNY BELINDA (WB) and WINNER TAKE ALL (Mono.)—ESQUIRE (742) (35c-74c). Gross: $2,500. (Average: $2,000)

JULIA MISBEHAVES (M-G-M) and CLOSE UP (E-L)—ORPHEUM (2,600) (35c-74c) 2nd week. Gross: $10,000 (Average: $13,500)

MISS TATLOCK'S MILLIONS (Para.)—DENHAM (1,750) (35c-70c). Gross: $16,000 (Average: $11,000)

PARADINE CASE (SRO) and GAY INTRUDERS (20th-Fox)—ALADDIN (1,400) (35c-74c). After a week each at the Denver, Esquire and Webber. Gross: $2,500 (Average: $2,500)

PITFALL (UA) and MEET ME AT DAWN (20th-Fox)—PARAMOUNT (2,200) (35c-74c). Gross: $7,000. (Average: $9,000)

PITFALL (UA) and MEET ME AT DAWN (20th-Fox)—WEBBER (750) (35c-74c). Gross: $1,500. (Average: $2,0[illegible])

RAW DEAL (E-L) and IN THIS (sub)NER (E-L)—RIALTO (878) (35c-[illegible]). After a week each at the Paramount. Gross: $1,000. (Average: $2,000)

RED RIVER (UA)—BROADWAY (1,500) (35c-74c) 4th week. Gross: $8,000. (Average: $7,000)

BALTIMORE

New films arriving here attracted only average crowds for their openings. Weekend business failed to make up the slump and, as a result, several box-office figures are below standard this week. First-run theatre managers are blaming it on lack of major films, weekend football, both afternoon and night, and a charity benefit indoor circus running the entire week. Estimated receipts for the week ending Nov. 24:

BODYGUARD (RKO Radio)—HIPPODROME (2,204) (21c-37c-50c-58c) With a stage show. Gross: $18,000. (Average: $17,000)

HENRY V (UA)—LITTLE (328) (50c-60c-$1.00) Return engagement, 5th week. Gross: $3,000. (Avcrage at regular prices of 29c-37c-56c: $2,750)

JULIA MISBEHAVES (M-G-M)—CENTURY (3,000) (29c-37c-45c-65c) 2nd week. Gross: $11,500. (Average: $14,500)

JUNE BRIDE (WB)—STANLEY (3,280) (29c-37c-50c-58c) 2nd week. Gross: $9,000. (Average: $14,500)

MISS TATLOCK'S MILLIONS (Para.)—KEITH'S (2,404) (25c-37c-44c-54c). Gross: $11,500. (Average: $13,000)

THE PLUNDERERS (Rep.)—MAYFAIR (1,000) (21c-29c-54c). Gross: $4,500. (Average: $5,000)

SAN FRANCISCO (M-G-M reissue)—VALENCIA (1,466) (29c-37c-45c-54c). Gross: $5,000. (Average: $5,000)

STATION WEST (RKO Radio)—TOWN (1,450) (29c-37c-50c-56c). Gross: $10,000. (Average: $11,000)

WHEN MY BABY SMILES AT ME (20th-Fox)—NEW (1,800) (29c-40c-50c-54c). Gross: $14,000 (Average: $12,250)

Enterprise Resuming

(*Continued from page* 1)

draw from active participation but will continue his financial stake in the organization.

Enterprise has three films awaiting release, "No Minor Vices," "Force of Evil" and "Caught," and the distribution progress made by these will determine when the company will begin production anew, he said.

Einfeld is scheduled to leave here for the Coast on Friday. The deal by which he will become vice-president of 20th-Fox in charge of advertising-publicity is expected to be formally approved and announced next week, following action by the company's board of directors.

Cleveland Aids Drive

CLEVELAND, Nov. 23.—Approximately $15,000 was pledged to the Will Rogers Memorial Hospital fund by 150 local industry members at a luncheon rally at the Statler Hotel here yesterday. Nat Wolf, chairman of the committee in charge of the special stage and screen show to be held at the Music Hall on Dec. 22, said he expected $13,000 to be netted for the fund by the show. Ernest Schwartz, president of the Cleveland Motion Picture Exhibitors Association, was chairman of the rally.

Coy Will Address

Coy Will Address

Wayne Coy, chairman of the Federal Communications Commission, will be guest speaker at the luncheon session highlighting the annual Television Clinic of the Television Broadcasters Association, which is scheduled to be held at the Waldorf-Astoria Hotel here on Dec. 8. Additional speakers during the one-day session include: Dr. Moskovics, manager of sales development for Columbia Broadcasting; Klaus Landsberg, manager of Paramount's KTLA, Hollywood; Herbert Myers, NBC; Leonard H. Goldenson, WABD; Robert L. Coe, WPIX; Myron Kirk, Kudner Agency; Hugh M. Beville, NBC; Harry Edourade, Badger, Browning and Hershey, and Eugene Katz of the Katz Agency.

Charles Barry Heads ABC in Hollywood

Charles C. Barry, vice-president in charge of radio and television programming of American Broadcasting, has been named vice-president in charge of the Western division of the company, with offices in Hollywood, Mark Woods, president.

In his new post, Barry will report to Robert E. Kintner, ABC executive vice-president.

Barry succeeds Don Searle, whose resignation was announced last week. Pending Barry's arrival in Hollywood, Frank Samuels, ABC Coast sales manager, will be in acting charge of operations.

FCC Sets Jan. 17 for Video Arguments

WASHINGTON, Nov. 23. — Federal Communications Commission has scheduled Jan. 17 as the date for oral arguments on its proposed rules limiting multiple ownership of television, FM and standard broadcasting stations.

The Commission said its engineering conference on television transmission problems would be held here on Nov. 30, Dec. 1 and 2.

To Film Easter Pageant

WILMINGTON, O., Nov. 23.—Hygienic Productions, Inc., has been contracted to produce and distribute a film depicting the life of Christ as represented in the annual Easter pageant given at Lawton, Okla., according to Kroger Babb, president. The film, in Cinecolor, has been temporarily named "The Lawton Story." Principle Films, Inc., of Lawton, was formed by Neil Bogan and a group of industrialists, for the purpose of making the film.

Two Du Mont Dividends

The board of directors of the Allen B. Du Mont Laboratotries has declared a dividend of 25 cents per share for 1948 on outstanding class A and class B common stocks, payable on Dec. 22 to holders of record on Dec. 1. A regular quarterly dividend of 25 cents per share on its outstanding five per cent cumulative convertible preferred was also declared.

Brown to Be 'Fall Guy'

Joe E. Brown, currently starring in "Harvey," will be "fall guy" at the luncheon of The Circus Saints and Sinners on Friday at the Waldorf-Astoria here.

Reviews

"That Wonderful Urge"

(20th Century-Fox) *Hollywood, Nov. 23*

DIRECTION, script, pace and performance combine congenially to keep this comedy spinning along at a merry clip throughout its swift 82 minutes, and with the names of Tyrone Power and Gene Tierney ornamenting the marquee there ought to be no question about box-office results. A preview audience at the Ritz Theatre in Beverly Hills, composed in about equal parts of public, profession and press, enjoyed the proceedings immensely, and often uproariously enough to drown out sections of dialogue. It is all a very gay business, verging occasionally upon what some may term the risque and sometimes dwelling there, but the accent is always upon humor and a fine cast makes the intent quite clear at all times. Reginald Gardiner, Lucile Watson, Gene Lockhart, Arlene Whelan and Taylor Holmes are especially notable contributors to the success of the enterprise.

Jay Dratler's screenplay, from a story by William R. Lipman and Frederick Stephani, presents Power as a reporter who has written a series of satirical articles about a chain-store heiress, Miss Tierney, and who goes to Sun Valley to fenagle an introduction to her under an assumed name for the purpose of getting direct quotes to use in his next piece. He succeeds easily in doing so, but changes his opinion of her favorably and determines to repair the damage he has done. Before he can do so, however, she learns his identity, believes he has tricked her vilely, and flies back to New York, where she vengefully tells reporters she has married him and settled $1,000,000 upon him. When the rival newspapers scoop his sheet with this story he loses his job. and the rest of the story, tightly packed with amusing surprises, concerns his frantic but unsuccessful attempts to disprove her claim of marriage and her steady insistence that it is true. They wind up in a tussle on her boudoir floor and discover that they are really in love with each other, the picture ending with their agreement that they will go to the altar and remove all doubts of their relationship by way of a genuine marriage. The time is the present, the place Sun Valley and New York, and the picture prospers from a smooth blending of lively dialogue with swift movement. Fred Kohlmar produced, without stint of resources, and Robert B. Sinclair directed skillfully.

Running time, 82 minutes. General audience classification. Release date, not set.

WILLIAM R. WEAVER

"Dynamite"

(Paramount)

PUT two members of a blasting crew into a disagreement over a girl and fireworks are sure to result. The two in this instance, William Gargan and Richard Crane, confine their mutual dislike to some harsh words and a brisk fistic exchange. In a rather ineffective production Crane plays the college-bred boy who rubs veteran blaster Gargan the wrong way by trying to intrude his modern methods. Crane further complicates things by falling in love with Virginia Welles, the boss' daughter, in whom Gargan is also interested.

Woven into the plot are the accidental tragedies which occur when blasting charges misfire, the problems of Irving Bacon, the boss, who is hounded by bad luck and his creditors, and the ambitions of Mary Newton who plays Crane's mother and doesn't want her son to be a "powder monkey." There is one especially suspenseful episode when a dynamite truck goes careening brakeless down a mountain road and the driver is rescued by a hairbreadth. But on the whole, "Dynamite" moves slowly and with little excitement. Even when the hero is trapped in a cave-in, the situation is too obvious for real tension. A William Pine-William Thomas production, the former directed and Milton Raison wrote the original screen play. Acting is adequate.

Running time, 68 minutes. General audience classification. Release date, Jan. 28.

"Marshal of Amarillo"

(Republic)

ALLAN (ROCKY) LANE calls upon all his resourcefulness in this out-door action drama in order to track down a group of outlaws. Fistic exchanges and stagecoach chases lend the customary touches to this standard Western.

After their stage was held up and their horses run away, Eddy Waller, an old prospector and a group of men arrive at a mysterious inn, Half-Way House. There are strange disappearances and killings and Waller seeks out the marshal to locate the killer. Aided by Mildred Coles, as the daughter of one of the missing men, Lane discovers that the clerk of the inn is holding the men prisoners to force them to disclose the whereabouts of a cache of $50,000. Lane rescues the men, restores the money to its rightful owner and the culprit is captured. Gordon Kay was the associate producer and Philip Ford directed. Bob Williams wrote the original screenplay.

Running time, 60 minutes. General audience classification.

Buys Into Midstates

ST. LOUIS, Nov. 23.—Joe Hornstein of New York and Morton Gottlieb have purchased a half interest in Midstates Theatre Supply, Inc., here. Harold Block has resigned from Midstates.

E-K Promotes Harper

ROCHESTER, N. Y., Nov. 23.—J. Leslie Harper has been elected assistant comptroller of Eastman Kodak. Harper joined the company in 1931. He had been assistant to the general comptroller since 1946.

Short Subject

"Answer to Stalin"

(March of Time-20th-Fox)

America has an even greater weapon than the Atomic Bomb, according to the editors of March of Time, and that weapon is the results being achieved by the Economic Cooperation Administration. The film shows shots of Stalin and then delineates the world-wide movement by Communism to divide nations and forment strife. Mostly by newsreel clips, the subject outlines this process in action. The film, in climax, shows the ECA in action. Throughout the subject, world figures like Churchill, Marshall and Cripps are featured. The subject is an extremely timely one and is made all the more exploitable by its provocative title. Running time, 19 minutes.

Slight Increase in Coast Production

HOLLYWOOD, Nov. 23—The production index rose to 30 from last week's 28. Five new films were launched, while only three were sent to cutting rooms.

Shooting started on "Gun Runner," Monogram; "Manhandled" (Pine-Thomas), Paramount; "Sam Wynne," RKO Radio; "You're My Everything," 20th Century-Fox; "Ma and Pa Kettle," Universal-International, and shooting finished on "Impact" (Popkin), United Artists; "Calamity Jane and Sam Bass," Universal-International; "Montana," Warner.

E-L's 'Live a Little' Rated 'B' by Legion

Eagle-Lion's "Let's Live a Little" has been given a "B" rating by the National Legion of Decency in its rating this week of nine pictures. Classified as A-II were: "Children on Trial" (British), English Films; "High Fury" (British), United Artists; "Joe Palooka in the Big Fight," Monogram and "The Kissing Bandit," M-G-M. Rated A-I were: "Hidden Danger," Monogram; "Indian Agent," RKO Radio; "One Night with You," J. Arthur Rank-Universal-International, and "Racing Luck," Columbia.

Chicago Selwyn to Films for 'Shoes'

CHICAGO, Nov. 23.—J. Arthur Rank's "The Red Shoes," released by Eagle-Lion, will open here on a reserved seat policy with two-a-day showings at the Selwyn Theatre on Dec. 23, with a $2.40 top. This will be the first film to play the Selwyn, normally a "legit" house controlled by the Shuberts.

William Heineman, E-L vice-president, and Leon Brandt, head of exploitation, are in town completing arrangements for the run.

Wallis-Hazen Registers

ALBANY, N. Y., Nov. 23. — Wallis-Hazen, Inc., formed in Delaware, has registered a certificate for a New York office for a motion picture business, in the Paramount Building. Hal Wallis is president. Wright and Millikan of Los Angeles, were the attorneys.

WHAM!..A NEW YORK

A Good Film. The Kids will yell, Grown-ups will try to look bored, but will go for it. *DAILY MIRROR*

In Trucolor and several notches above the general of sagebrushers. *DAILY NEWS*

Old West Roars in Better than Usual Western. Diverting and exciting. Trucolor has a soft, natural quality which succeeds in making people look human. *WORLD TELEGRAM*

A Western With Twists. Plenty of ridin', fightin' and shootin' action. *JOURNAL AMERICAN*

A wealth of glowing color sparks this novel story of the wild west. Solid boxoffice returns. *INDEPENDENT FILM JOURNAL*

Swift action, chases, superb horsemanship, outlaws, cowboys, the U. S. cavalry, Sioux Indians on the warpath, romance and the raw frontier in the early days of the west, plus several surprise story twists and a good cast. *DAILY VARIETY*

Highly entertaining western. Belongs in the better western category. *THE EXHIBITOR*

BIG ACTION-JAMMED WESTERN IN COLOR. Should draw well above average. *FILM BULLETIN*

Good Western melodrama, abounds in exciting action, suspense, and thrills. *HARRISON'S REPORTS*

A WESTERN THE AUDIENCE SHOULD GO FOR COMPLETELY. ONE FOR THE MONEY. *FILM DAILY*

Should bring them in right handily. Good, solid merchandise. *SHOWMEN'S TRADE REVIEW*

Everything the sagebrush fan could possibly yearn for. Amply qualified to carry the top side of almost any bill. *BOXOFFICE*

A lively Western, accentuating Trucolor. *MOTION PICTURE DAILY*

Smash Oater. Epic-Type Western Act Entertainment. *HOLLYWOOD REPORTER*

A Western formula on a large scale. Boxoffice attention should be satisfactory. *WEEKLY VARIETY*

Lively pace necessary for a good Western. *MOTION PICTURE HERALD*

THE

PLUNDER

in TRUCOLOR

THREE WEEKS AT BROADWAY'S GOTHAM, NEW YORK



The Plunderers

ROD CAMERON • ILONA MASSEY
and ADRIAN BOOTH • FORREST TUCKER
GEORGE CLEVELAND • GRANT WITHERS • TAYLOR HOLMES • PAUL FIX

Screen Play by Gerald Geraghty and Gerald Adams • Based on an Original Story by James Edward Grant

Associate Producer and Director — JOSEPH KANE

A REPUBLIC PRODUCTION

Windsor, Walbrook Suit in New Snarl

WASHINGTON, Nov. 23.—The legal fight between the Windsor and Walbrook Theatres of Baltimore, will get even more tangled with the filing of a counter-suit by the Walbrook against the Windsor.

In February, the Windsor filed a $600,000 treble-damage and injunction suit here against six major distributors, the Walbrook Amusement Co., the Hilton Theatre Co., also of Baltimore, and Thomas D. Goldberg, president of the Walbrook and Hilton. The Baltimore firms moved that they be dismissed from the suit on the ground that they did not transact business in the District, under the terms of the anti-trust law. They won that motion. The Windsor then negotiated out-of-court settlements with 20th Century-Fox and Paramount, two of the defendants, whereby the distributors agreed to split their product between the Windsor and the Walbrook. The Walbrook then sued 20th-Fox, alleging breach of contract, and this suit is pending.

Last Friday, the Windsor brought a $600,000 treble-damage suit—no injunction—in Baltimore against the Walbrook, Hilton and Goldberg. Today, Walbrook attorney Robert Sher said: "That just makes it easy for us. We were going to sue them anyhow, and now we'll just make our suit a counter-suit to theirs."

Sher said the counter-suit would allege that the Windsor is restraining trade in its contracts with distributors, the same charge which the Windsor alleged in its suit against the Walbrook. Sher said that now the Windsor is getting all the films of RKO, Columbia, Eagle-Lion, Republic and Monogram, and half the films of Paramount and 20th-Fox. "We get 100 pictures for our two theatres," he stated, "and they get more than that for one theatre."

Igoe Frees Ricca

CHICAGO, Nov. 23.—Paul Ricca, Chicago union racketeer, was freed today by Judge Michael Igoe on a legal issue. Ricca had been out on a habeas corpus.



Have YOU tried a SKYBERTH on American's famous DC-6 "MERCURY" flight to LOS ANGELES?

Phone HAvemeyer 6-5000 or your travel agent

Ticket Offices: Airlines Terminal Rockefeller Center • Hotel New Yorker 120 Broadway • Hotel St. George

AMERICAN AIRLINES

R.K.O. Loses Appeal On 'Loop' Contempt

CHICAGO, Nov. 23.—Circuit Court of Appeals today upheld Federal Judge Michael Igoe's contempt ruling against RKO, in which the company sought to appeal his opinion by claiming that the RKO Palace Theatre was a separate corporation from RKO Pictures. In handing down the opinion, Judge Sherman Minton of the Appeal Court, with concurrence of Judge William Sparks and Judge Luther Swigert, said that to uphold the defense of RKO that the Palace was a separate entity would be to subordinate reality to legal form.

Relying as the court did upon the testimony and judicial admissions made in the original case, the ruling said, the court's finding that RKO operated the Palace Theatre was not clearly erroneous.

In the opinion Judge Minton referred to the "ghostlike" corporate figure, stating that RKO now "for the first time drags from the closet a bare-boned skeleton of an elaborate corporate structure to show to the courts that not RKO but another wholly owned subsidiary actually operates it."

Para. Hearings

(*Continued from page* 1)

later that the federal jurists had assignments for the week of Dec. 13 which they were unable to rearrange. In consequence, Judge Augustus N. Hand, presiding jurist, subsequently was obliged to set the case back another week, to Dec. 20.

May Adjourn to Next Year

Indications are that if the resumed hearings promise to continue for any length of time, they would be adjourned again until after the Christmas and New Year's holidays.

Company attorneys, meanwhile, have met again on preparation of a final draft of the new rules of arbitration to be presented to the court at the resumed hearings providing they receive representative support from national distribution companies, including non-defendants in the anti-trust case.

A final draft is expected to be completed within a few days. It will extend the rules to include the arbitration of such subjects as specific run, extended runs, forcing of pictures and other complaints heretofore not covered by the industry arbitration system. The new plan also may provide for arbitration of some subjects for which injunctive relief is sought by the government in the anti-trust case.

Counsel of Three to Meet

Counsel for United Artists, Universal and Columbia are expected to meet within the next few days to chart a course of joint action for the remainder of the case and some kind of action on arbitration is indicated. At the court hearing earlier this month, Columbia counsel Louis D. Frohlich expressed opposition to any such system while attorneys Edward Raftery, for United Artists, and Cyril Landau, for Universal, said that they preferred not to commit themselves until an actual plan is drawn and then considered in the light of costs to the companies.

Heads Telespots Sales

Carl Friedlander has been appointed by Jules Bricken as general sales manager of Telespots, Inc., New York producer of films for television.

Two Salesmen Lose Plea in Capital Suit

WASHINGTON, Nov. 23. — Judge Matthew F. McGuire today refused to dismiss two theatre-owning film salesmen as defendants in a $150,000 damage and injunction suit against them and four major distributors.

In June, the Center Theatre of Centreville, Md., filed the suit against Paramount, 20th-Fox, Radio and Columbia, and against Columbia film salesman Charles Wingfield and 20th Fox salesman F. B. Klein. The two salesmen own theatres in Church Hill and Chestertown, Md., and the suit charged that the four distributors gave the salesmen a monopoly of first-run product.

The distributors filed answers denying the charge, but the two salesmen moved that they be dismissed on the ground that contracts with only four companies could not constitute a monopoly of films. In an argument before Judge McGuire, Center Theatre's attorney Robert Sher said that the suit was not based on monopoly but rather on restraint of trade, and that restraint could be proved on the basis of contracts with just one firm.

Judge McGuire issued no opinion on the case, but merely noted that the motion had been denied. Sher is preparing a formal order for McGuire to issue.

Dipson Trust Case Nears Final Round

BUFFALO, Nov. 23.—Hearing on the form of an order to be entered in the anti-trust action of Dipson Theatres against seven distributors and Buffalo Theatres, Inc., is expected to be set for about Jan. 31.

As the trial concluded here, Federal Judge John Bright directed plaintiffs' counsel to submit its proposed findings and conclusions to the court by Jan. 2, with the defendants given 20 days beyond that date in which to answer.

Isley Circuit

(*Continued from page* 1)

clude theatres smaller than the Pickwood.

The Pickwood has not yet been opened. The suit asks for injunctive relief and court action to compel distributors to furnish first-run films to the plaintiff. Damages sought are three times the cost of the Pickwood.

Two More First-runs

BOSTON, Nov. 23.—The Paramount and Fenway theatres here, previously second-run houses on move-overs from the Metropolitan, henceforth will play first-run.

17 MGM Releases

(*Continued from page* 1)

co" and "A Night at the Opera," be reprints.

For January there will be "Th Godfathers," Technicolor, an Argo production; "Forces of Evil," an E terprise production; "The Kissi Bandit" and "Piccadilly Incident," Herbert Wilcox production. Febr ary releases will include "Act of Vi lence" and "The Sun Comes Up," Technicolor. In March there "The Bribe" and "Take Me Out the Ballgame." Three for April wi include "Little Women," in Techn color; "The Great Sinner" and "Th Barkleys of Broadway," in Techn color. There will be two in May, "Th Stratton Story" and "The Secret Ga den," partly in Technicolor.

'IA' Moves

(*Continued from page* 1)

F. Walsh are assistant internation president Thomas J. Shea, vice-pres dent Louise Wright and internation representative Joseph D. Basson.

On hand yesterday in behalf of dis tributors were Clarence Hill, 20t Century-Fox; Anthony Petti, Univer sal-International; C. J. (Pat) Scol lard, Paramount; Charles O'Brien Loew; Henry C. Kaufman, Columbia Leslie Thompson, RKO Radio; Sau Schneider, Warner, and Harry Buck ley, United Artists.

The negotiators are slated to mee again next week.

RKO Election

(*Continued from page* 1)

struggle for jurisdictional supremacy at film company home offices.

H-63 business agent Russell Mos said yesterday that the "IA" local ha "far more than a majority of RKO Radio's employes in our fold." Spokesmen for SOPEG were not available for comment.

E-K Decree Changes

(*Continued from page* 1)

confer on changes necessary to rectify this deficiency.

Judge Mathes indicated that he will again study the decree when revised before affixing his signature.

Judge Mathes postponed the preliminary hearings in the government-Technicolor case to the same date.

Parking Space Ordered

KNOXVILLE, Tenn., Nov. 23.—All theatres in the uptown area must provide offstreet parking at the rate of one space for every 10 seats, under a new city ordinance now in effect.



Main Again Heads MPTO of Ontario

TORONTO, Nov. 23.—H. C. D. Main, independent owner of the Capitol Theatre, Listowel, Ont., was elected president for a second term of the Motion Picture Theatres Association of Ontario at the first meeting of 1948-49. Manager Roy Miller of the Lincoln Theatre, St. Catharines, is vice-president, while the secretary is George H. Peters, vice-president of Odeon Theatres of Canada. Arch H. Jolley was re-appointed executive secretary and manager. William Summerville of B. and F. Theatres, is honorary treasurer.

Maynard, Jolley and Ford Head Hamilton, Ont., Unit

TORONTO, Nov. 23.—R. E. Maynard, manager of the Odeon Palace, has been elected president of the Hamilton, Ont., Theatre Managers Association, and Mel Jolley has been named vice-president. Mrs. Jean Ford was re-elected secretary-treasurer.

'Brotherhood Week'

(*Continued from page* 1)

M. Reagan, Paramount sales vice-president, was named chairman of the distribution committee. Other committee appointments will be made by Depinet later.

Leon Bamberger of RKO Radio will serve as aide to Depinet and C. J. Scollard of Paramount will assist Reagan. As announced earlier, Gil Golden of Warner Brothers will be in charge of advertising and promotion for Brotherhood Week observance.

According to present plans, all newsreels will carry appropriate Brotherhood Week subjects, as in previous years.

J. Robert Rubin of Loew's, Inc., chairman of yesterday's meeting, announced that an industry luncheon will be held here on Dec. 22 to complete arrangements for industry observance.

Speakers at yesterday's meeting included Depinet, Rubin, Barney Balaban, Will H. Hays, Skouras, David Weinstock and Dr. Everett R. Clinchy.

Industry Shorts

(*Continued from page* 1)

meet again shortly to map actual releasing plans for the series. Robert Mochrie, RKO sales chief, is chairman of the group.

No official action was taken yesterday in the brief business discussion which followed the screening although a spokesman later said that it appears likely exhibitors will be asked to pay only enough to cover production costs.

Production of the shorts was in charge of the Industry Film Project Committee, headed by Y. Frank Freeman, which is understood to have plans for a continuing program of about five subjects annually.

RE-ISSUES WANTED
FOR NATIONAL DISTRIBUTION BY EXPERIENCED DISTRIBUTOR
BOX 418, M. P. DAILY
1270 Sixth Ave., N. Y. 20

'20 Glorious Years'

(*Continued from page* 1)

would function solely in the interest of the independent exhibitors and provide a bulwark against the further encroachments of producer-distributors," "Twenty Glorious Years" introduces many personalities, within and outside the organization, who figured in the events which have pyramided into motion picture history.

Industry, Civic Leaders

Among names recorded are Abram F. Myers, Col. H. A. Cole, Sidney Samuelson, Adolph Zukor, William Alvin Steffes, former U. S. Vice-President John Nance Garner, E. L. Byars, Will H. Hays, H. M. Richey, Glenn Cross, Jim Ritter, Herman Blum, Calvin Coolidge, E. P. Smith, B. D. Cockrill, Charles Casanave, Steve Bauer, Andy Gutenberg, Nathan Yamins, Fred Herrington, M. A. Rosenberg, Martin G. Smith.

Also, P. J. Wood, Aaron Saperstein, Jack Kirsch, William L. Ainsworth, Carl Laemmle, C. C. Pettijohn, Pete Harrison, David Sarnoff, Oscar R. Hanson, William James, Sidney R. Kent, Irving Dollinger, M. A. Lightman, Louis Nizer, Ed Schiller, William F. Rodgers, Ed Kuykendall, Gradwell Sears, Noel T. Dowling, Hatton Sumners, Sam Hobbs, Clarence Lea, Stephen P. Cabot, Henry R. Atkinson, Katherine V. E. Lyford, Mrs. Robert T. Bushnell, Mary T. Bannerman, Walter B. Littlefield, Trueman Rembusch, Ray Branch, Benjamin Berger, John Wolfberg, O. F. Sullivan, Maxwell Alderman, Edward Lachman, Gene Custer, Meyer Leventhal, Charles Niles.

Also, Ray Feeley, Albert Gebhart, Helen Diering, Rube Shor, Charles W. Snyder, Harold Pearson, Stanley D. Kane, J. H. Ashby, William A. Carroll, Henry J. Holloway, Jeff Jefferis, Bertha M. Thompson, and many others from Allied, from government service and the industry in general.

Reviews Industry Fights

Chronicled in forthright style, and expressing Allied's conviction that Allied has played a heroic role during the industry's past 20 years, the brochure presents graphic accounts of legal battles and other intra-industry disputes. It is a nostalgic journey in retrospect with a strong underscoring of eagerness to face the challenges of the future.

Myers prepared the record, with the collaboration of Cole.

M-G-M Unit Ships Clothing Abroad

A special unit, formed at the M-G-M home office, has been collecting clothing here from the exchanges throughout the United States and the studio, for shipment to company personnel abroad.

Dave Blum, Loew International publicity director, and a supervisor of the program, points out that the shipments are not to alleviate poverty, but that "people abroad frequently cannot obtain adequate clothing because of extreme shortages." Blum said that several cases of clothing recently went to Finland and that new shipments are now ready for shipment to Italy.

Sets Up Booking Firm

DETROIT, Nov. 23.—William Clark, independent film booker, has organized the Clark Theatre Service with offices in the Donovan Building here.

Canadian Building Increase Continues

Ottawa, Nov 23.—The Canadian Government reports an increase in contracts awarded for new theatres during August to a total of $640,000, compared with $530,000 in July, and marking the second consecutive month of a gain since July's figure, compared with only $200,000 in June.

Mexico Trying to Stabilize Dollars

MEXICO CITY, Nov. 23.—The motion picture business, like all others in Mexico, is awaiting results of the reported strenuous efforts of the government to stabilize its monetary system by pegging the dollar. This is expected to be set at about 6.50 pesos, against the present 6.90 pesos and compared with the 4.85 which prevailed until the decree was adopted by the government on July 20 to devaluate the money.

$19,464,705 from Canadian Rentals

TORONTO, Nov. 23.—Revenue from film rentals totaled a record $19,464,706 in 1947 for the 29 distributing companies operating 114 offices in the Dominion, according to a government report. The total compared with the 1946 total of $18,652,892. Prior to the war the total was $10,000,000 from 62 branch offices.

RKO Relinquishes Film Deals for Ships

Following a six-months trial period distributing pictures to steamship lines on its own, RKO has decided to sign a new contract with Movies-on-Route, providing for the same terms as a prior agreement which ran for a year and under which RKO had its film booked aboard boats by M-O-R.

The experiment failed, it is understood, because the other companies did not go along and also because the lines preferred to deal with one central agency, Movies-on-Route handling bookings of most companies, but does not hold rights to 16mm. versions of 20th Century-Fox features.

Jack Kennedy, in charge of the project and working under the supervision of Robert Maroney, head of the RKO 16mm. international department, will continue to supervise shipboard contracts.

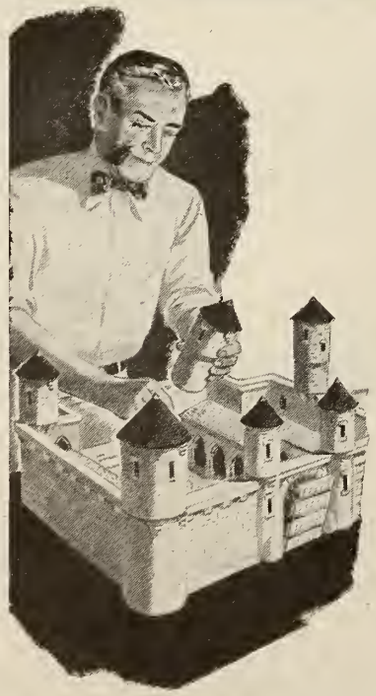
UK Film Council to Meet Next Monday

LONDON, Nov. 23.—Harold Wilson, president of the British Board of Trade, has set Nov. 29 for a meeting of the National Film Production Council. Seven representatives of British producers will face seven representatives of the studio unions. Britain's actors sought to be represented at the meeting, but Wilson has overlooked asking British Equity to sit in.

Currently, 13 studios capable of turning out first-feature films are either closed entirely or engaged in production of a different sort, and indications are that the meeting will be marked by sharp conflict.







Architect for castles—and cottages...

FROM blueprint to model to full-size structure—so grew this "dream castle"—product of the set designer's skill.

As architect for filmdom's castles and cottages, he heightens dramatic effect by his creative work with materials and textures. His sets help establish and maintain story mood... give camera and actors the freedom needed to do full justice to the scene.

For this he must be more than master architect: he must have real understanding of the photographic element in which his sets will "live."

And from his close association with the camera art, he knows how much creative latitude depends on the proper films. Films with the versatility for which the Eastman motion picture family has long been famous.

EASTMAN KODAK COMPANY
ROCHESTER 4, N. Y.

J. E. BRULATOUR, INC., DISTRIBUTORS
FORT LEE • CHICAGO • HOLLYWOOD

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64, NO. 102 NEW YORK, U.S.A., FRIDAY, NOVEMBER 26, 1948 TEN CENTS

Coast Court Signs Decree In Kodak Case

Judge's Action Sudden; Technicolor Suit Still On

LOS ANGELES, Nov. 25.—The Government-Eastman Kodak consent decree was signed by Federal Judge William C. Mathes yesterday after an unscheduled and unexpected presentation of a revised text by government and Eastman Kodak attorneys. On Tuesday Judge Mathes rejected the previous version and rescheduled it for re-submission on Jan. 7.

Pre-trial hearings on Technicolor, however, remained postponed until Jan. 7. The government suit charging E-K and Technicolor with a conspiracy to monopolize the color motion picture film industry was filed in August.

The decree binds E-K to compulsory licensing on a royalty-free basis of all patents owned by the company, to furnish technical information to all licensees of such patents, and to sell

(Continued on page 10)

Dividends Are Down by 15%

WASHINGTON, Nov. 25.—Film companies' dividends in 1948 will be 15 to 20 per cent below last year's record payments, U. S. Commerce Department figures released here indicate.

The Department said that publicly-reported cash dividend payments in October were $2,700,000, compared with $4,571,000 in October, 1947. The October payments brought the Janu-

(Continued on page 6)

UJA Cites Skouras For Philanthropies

Spyros P. Skouras, 20th Century-Fox president, was honored Wednesday for his "worthy record in the field of philanthropic endeavor," at a United Jewish Appeal luncheon at the Hotel Astor.

Si Fabian, circuit executive and chairman of the meeting, thanked Skouras in behalf of the UJA's amusement division "for services well done." Other commendations came

(Continued on page 10)

4 TOA Units Testing Plan

Theatre Owners of America will have four conciliation boards working in the field by Dec. 15 under its 60-day trial plan, according to Arthur Lockwood, TOA president.

Grievance groups are being organized in Boston, New Haven, Oklahoma City and Memphis. Lockwood will actively assist in the selection of exhibitors who will comprise the committees.

Once the conciliation boards start functioning, they will be watched closely by TOA executives to determine any shortcomings in the program. The organization of other committees then will get under way.

So far TOA has not contacted distributors, Lockwood disclosed, adding, however, that he expected most of them to cooperate fully.

20th-Fox Bid for ABC a Video Aim

Beyond the earlier confirmation of Spyros P. Skouras that 20th Century-Fox is negotiating either for purchase of American Broadcasting Co., or acquisition of a controlling stock interest in the radio-television company, no additional details have been made public by officials of either company.

Skouras said that no agreement on terms has been reached and he declined to predict how long it might take to bring negotiations to a decisive stage. Observers pointed out that such a deal might involve complicated

(Continued on page 7)

11,904 Employed in Canadian Theatres

Ottawa, Nov. 25.—Of 11,904 employes in motion pictures houses in Canada last year, 9,797 were engaged in the operation of theatres which were open 300 days or more. They received $10,854,840 in salaries, the Canadian government reveals.

Projectionists and assistant projectionists in all theatres numbered 2,201, and drew salaries and wages of $4,067,705.

Urge Invite for CEA To Anglo-US Meet

LONDON, Nov. 25. — Advisability of restricting British representation at the March 23-25 meeting in New York of the Anglo-American Joint Film Advisory Committee to J. Arthur Rank, Sir Alexander Korda and Sir Henry French is being challenged in government and industry circles here. The suggestion has been advanced that Britain's independent exhibitors also should be represented.

The argument is that Rank, Korda and French will attend the conference virtually as salesmen for British films, whereas it is desirable from the standpoint of U. S. producers that the Americans' best customers here, the independent exhibitors, be invited to participate in the talks. French will represent the British Film Producers Association.

Feeling has mounted steadily that Sir Alexander King, Cinematograph

(Continued on page 3)

Allied Favors Star, Film Ban In Discipline

Finneran Plan Embodies Production Code Action

NEW ORLEANS, Nov. 25.—Allied States Association's plan for disciplining "misbehaving stars" would have them barred from the industry until they have been cleared of charges against them, and the Production Code seal would be held up on any film featuring stars not cleared.



Abram F. Myers

The plan, known as the Finneran Plan, is high on the agenda of both the national Allied board of directors' meeting, which will be held here at the Roosevelt Hotel Saturday

(Continued on page 10)

Film Imports Criticized

WASHINGTON, Nov. 25.—The National Legion of Decency reported today a "marked increase" in the number of morally offensive films during 1948, but attributed this largely to the increased number of foreign films reviewed.

The Legion's report was presented by the Bishop's Committee on Motion Pictures to a meeting of Catholic Archbishops and Bishops of the U. S.

(Continued on page 3)

Ascap Appeals from Minneapolis Ruling

MINNEAPOLIS, Nov. 25.—American Society of Composers, Authors and Publishers has filed notice of appeal from the decision of Federal Judge Gunnar Nordbye, which held that the Society, members of which are plaintiffs in a suit against Benjamin Berger and other exhibitors, was in violation of the anti-trust laws and legally

(Continued on page 10)

Paris Discussions Today On 'Low' Quota for U. K.

LONDON, Nov. 25.—F. M. F. West, managing director of J. Arthur Rank's Eagle-Lion Distributors; Sir David Cunynghame of Sir Alexander Korda's London Films, and Reginald Baker of Ealing Studios, will leave here today for Paris, to meet tomorrow with a delegation of French producers, distributors and exhibitors and French government officials for discussions on the present low minimum set for British screenings in France. The British delegates are due back here on Saturday.

Following a missionary journey to Paris of the British Board of Trade's Andrew White, the French government agreed to reopen discussions on the question.

$565,221 Columbia Profit for the Year

Columbia Pictures Corp. reports a net profit of $565,221 for the year ended June 30, equal to 40 cents a common share. This compared with a net of $3,706,541 or $5.33 a share in the preceding year.

Gross income totaled $43,898,785 and the operating profit, $1,477,889. In the preceding year these totals were $48,832,201 and $5,972,678, respectively.

AAA to Hear 2 New Cases

First arbitration hearings to be voluntarily agreed to by all parties involved in clearance complaints filed with the American Arbitration Association since the U. S. Supreme Court ruled last June in the industry anti-trust suit, will be held next month, it was reported here on Wednesday by James Murphy, director of AAA's motion picture division.

First of two hearings will be held before arbitrator John A. Daly in Boston, on Dec. 13. Case was filed last summer by Hortense L. Sharby, operator of the Amusu Theatre, Lancaster, N. H., against all five trust suit distributor defendants. Complaint alleges that seven days clearance now given to the Rialto, Lancaster, N. H., is unreasonable, and the complainant seeks to have it abolished or cut to a day.

Second hearing will be held on Dec. 16 at New Haven before arbitrator Fred Wiggin. Case was also filed last summer by Nick Kounaris and Apostolis Tolis, operators of the Newington Theatre, Newington, Conn., against all majors. Reduction is sought in the 30 days clearance which is granted to the Strand and Embassy, New Britain, by Warner and 21 days granted by the other four defendants.

First case has one intervenor, and the second has four.

Cohns Seek to Sell 1,414 of Common

WASHINGTON, Nov. 25.—Columbia on Wednesday filed a registration statement with the Securities and Exchange Commission for 1,414 shares of no par common, proposed for public sale by Harry Cohn and Jack Cohn, president and executive vice-president, respectively, and their families.

The shares were received as stock dividends under the 2½ per cent stock dividend paid by the company on May 14. There are in addition 24,332 shares embraced by a June 16, 1947, registration statement. It is proposed to sell the shares on the open market.

Sears Due Today; No Hughes Accord Yet

Gradwell Sears, president of United Artists, will return to New York from the Coast today with an agreement with Howard Hughes on finalizing their long-pending three-picture transaction still to be reached. Consequently UA has yet to relinquish distribution rights for "Vendetta," "Mad Wednesday" and "The Outlaw," which Hughes produced and now wants back in return for his financing guarantees on three or more features to be made by independent producers for UA.

RKO Directors Meet

Radio-Keith-Orpheum board of directors met here on Wednesday. Meeting was termed "routine" by a company spokesman.

Personal Mention

CHARLES EINFELD is scheduled to leave here today for the Coast following two weeks at the 20th Century-Fox home office.

•

RED KANN, vice-president of Quigley Publishing Co., left here yesterday for the Allied States convention in New Orleans. He will be in Dallas to attend the testimonial dinner for BOB O'DONNELL on Dec. 4 and will then continue to the Coast for a stay of several weeks.

•

WILLIAM B. ZOELLNER, M-G-M head of short subjects sales, reprints and importations, will be married today to TREVA JONES at the home of MAJOR HARRY MILLER in Rockville Center, L. I. The couple will honeymoon in Bermuda.

•

HAWLEY FAIRCHILD, former assistant manager of the Warner Capitol Theatre in Danbury, Conn., has been promoted to manager.

•

HAROLD FREED of the United Artists exchange in New Haven has been re-elected president of IATSE Local No. B-41, exchange employes union.

•

HARRY KAPLAN of the Community Theatre in Fairfield, Conn., and MRS. KAPLAN have become parents of a son, GARY JOEL.

•

RODGER SECREST has resigned as night manager of the Loop Theatre, Detroit, following a serious knee injury.

•

CLIFF SWICK has been appointed supervisor of three Hellman theatres in Albany and Troy, N. Y.

•

LAWRENCE HAAS has been named coordinator of news for CBS-TV.

WILLIAM A. SCULLY, Universal-International sales vice-president, will leave here Monday on a tour of Southern exchanges.

•

JOE KAUFMAN, associate producer of "The Babe Ruth Story," will attend the Christian Athlete's Foundation dinner in Beaufort, S. C., from Hollywood on Dec. 15 to receive the Foundation's "Certificate of Commendation" awarded to Roy Del Ruth Productions for its Allied Artists picture.

•

MRS. FLORENCE A. SELZNICK, mother of DAVID O. SELZNICK, is in Good Samaritan Hospital in Los Angeles where she underwent an operation on Wednesday.

•

DANIEL E. FIELD, Midwest exhibitor who is associated with WOLFGANG REINHARDT in Midwest Productions, is in New York from Los Angeles.

•

MELVIN HONAKER of the Hill Top Theatre, Louisville, has returned to that city after a two-month visit to the Coast.

•

CHARLES SIMONELLI, Universal-International Eastern exploitation manager, has returned to New York from Indianapolis.

•

JEFF LIVINGSTON, Universal-International "Hamlet" representative, will return to New York on Monday from Chicago.

•

JACK BERKSHIRE of Screencraft Pictures has returned to New York from Buffalo.

•

LINDSLEY PARSONS, Monogram producer, will leave Hollywood on Dec. 10 for British Samoa.

Name H. E. Jameyson Commonwealth Head

KANSAS CITY, Nov. 25.—Howard E. Jameyson, who retired from Fox-Midwest circuit activities last July after 16 years as district manager, has been elected president of Commonwealth Theatres, succeeding Clarence A. Schultz who is retiring because of ill health.

Schultz will retain his interest, will remain on the board of directors and will act in an advisory capacity on call from the board.

Elmer Rhoden is chairman of the board and Bob Shelton is vice-president and general manager.

Ben Piazza Will Join Floyd Odlum

HOLLYWOOD, Nov. 25.—Ben Piazza, RKO Radio casting director for the past eight years, has confirmed his resignation from that post next month to associate with Floyd Odlum in the latter's future industry activities. Piazza will vacation meanwhile. Fred Schuessler, casting director of Howard Hughes productions, has been mentioned as Piazza's successor.

Odlum holds an option to purchase divested RKO theatres.

Krugman Starts Post With E-L on Dec. 6

Saul J. Krugman, Eagle-Lion's newly-appointed assistant sales manager, will start his duties Dec. 6, maintaining headquarters at the company's Philadelphia office, it was announced here by William J. Heineman, distribution vice-president. Krugman will work under Milton E. Cohen, Eastern sales manager.

Krugman resigned his post as Selznick Releasing Organization's Eastern district manager to join E-L. Prior to SRO, he was Eastern district manager for Samuel Goldwyn Productions.

Smith Retiring from RKO Theatres Post

CHICAGO, Nov. 25.—Frank Smith will retire as RKO Theatres Midwest division manager, effective Dec. 1, but will continue in an inactive capacity to handle labor relations. He will be succeeded by Jerry Shinbach, his assistant during the past year. Shinbach has been with RKO Theatres for six and a half years as theatre supervisor in Columbus, Cleveland and Cincinnati.

RADIO CITY MUSIC HALL
Rockefeller Center
"HILLS OF HOME"
EDMUND GWENN . DONALD CRISP
TOM DRAKE . JANET LEIGH
and LASSIE
Color by TECHNICOLOR
A Metro-Goldwyn-Mayer Picture
SPECTACULAR STAGE PRESENTATION

JOAN OF ARC starr
INGRID BERGMAN
VICTORIA B'WAY at 46th ST
COLOR BY TECHNICOLOR
CAST OF THOUSANDS

DARRYL F. ZANUCK presents
OLIVIA de HAVILLAND
the Snake Pit
Directed by ANATOLE LITVAK . Produced by ANATOLE LITVAK & ROBERT BASSLER
20th CENTURY FOX
RIVOLI B'way & 49th Street

Paramount presents
JOHN LUND . WANDA HENDRIX
BARRY FITZGERALD . MONTY WOOLLEY
in 'Miss Tatlock's Millions'
in Person
STAN KENTON And His Orchestra
featuring JUNE CHRISTY
and RED BUTTONS
RAUL & EVA REYES
Latin Americana
NELLIE LUTCHER
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

SAMUEL GOLDWYN presents
DANNY KAYE
VIRGINIA MAYO
"A SONG IS BORN"
COLOR BY TECHNICOLOR
Broadway at 45th Street
ASTOR
Cont. from 8:45 AM
Midnight Show

J. Arthur Rank presents
"THE RED SHOES"
Color by Technicolor
BIJOU THEATER, 45th Street West of Broadway
All Seats Reserved, Mail Orders
Twice Daily
Extra Matinees Saturday and Sunday
Late Show Saturday Evening 11:30
An EAGLE LION FILM Release

Robert Mitchum
Barbara Bel Geddes
Robert Preston
in
BLOOD ON THE MOON
BRANDT'S GLOBE
BROADWAY AT 46TH STREET

BETTY GRABLE - DAN DAILEY
"WHEN MY BABY SMILES AT ME"
in Technicolor
A Twentieth Century-Fox Picture
ON STAGE: MICKEY ROONEY —
Rosario & Antonio — Minevitch's Rascals
ROXY 7th Ave. & 50th St.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

Run Berlin Films Despite Russians

By H. ZU LOEWENSTEIN

BERLIN, Nov. 20 (By Airmail)—The Soviet blockade of Berlin is beginning to seriously affect motion picture life in the Western sector, but despite great difficulties the theatres are continuing to operate.

All shows starting after 10:30 P.M. require special licenses of the British-U. S. Military government are required. This rule was necessitated by the fact that only twice a day—for a period of two hours at a time—can the public be served with electric current. Some theatres are planning after-midnight shows, when current is available.

However, none of the 72 theatres in the U. S. sector have so far been forced to close. Twenty-seven have their own power, 20 are connected with a special power line, eight have one show daily, 43 give two shows, 20 have three shows a day.

In the British sector, only one of the 47 theatres has closed. The others give one to three shows a day. In the French sector, the initial crisis also has been overcome. All 34 theatres are in operation.

Following the currency reform and the Soviet arrest of people in possession of Western currency, attendance has been cut 60 per cent in the Soviet sector.

British Dominion Being Reactivated

SYDNEY, Australia, Nov. 18 (By Airmail).—British Dominion Films, which has not been active for more than a decade, is understood to be making a bid for re-entry into the Australian distribution field with an offer to Sir Alexander Korda to handle his product in this country.

Since the Korda break with 20th Century-Fox, the local trade has speculated on a possible outlet for non-Rank British product. It is understood that Hoyts will eventually lose the J. Arthur Rank product when the agreement with Gaumont-British expires and the Rank film goes to Greater Union. With several all-British houses to keep supplied, the Korda product looks attractive, it is felt in local film circles.

NFB to Widen Scope

OTTAWA, Nov. 25.—Asserting that the National Film Board of Canada will broaden the scope of production but will not swing away from cultural films, Premier St. Laurent has disclosed that Dr. J. J. McCann, Minister of Revenue, will become vice-chairman of the NFB. The board has been placed under the jurisdiction of the Department of Reconstruction and Supply.

Anglo - U. S. Meet

(*Continued from page* 1)

Exhibitors Association vice-president, and W. R. Fuller, CEA general secretary, should attend, if only for the purpose of providing sound counsel, the value of which it is reasoned, was demonstrated during their visits to America during the Anglo-American film tax deadlock.

U. S. film industry representatives scheduled to attend the meeting are Motion Picture Association of America president Eric A. Johnston, Nicholas Schenck and Barney Balaban.

Criticize Imports

(*Continued from page* 1)

at Catholic University here on Nov. 17-19, and was made public today.

The report revealed that during the year Nov. 1947-Nov. 1948, 451 features were reviewed by the Legion, of which 174 or 38.58 per cent were classified as A-I, or morally unobjectionable for general patronage; 188 or 41.69 per cent were classed A-II, or morally unobjectionable for adults; 82 or 18.18 per cent as B or morally objectionable in part for all, and seven or 1.55 per cent as C or condemned.

In 1946-47, out of 440 films reviewed, 195 or 44.52 per cent were classed as A-I, 172 or 39.09 per cent as A-II, 70 or 15.91 per cent as B, and three or 0.68 per cent as C.

The percentage of B films was the highest in Legion history during 1948, the report noted.

Breaking down the 1948 pictures into domestic and foreign films, the report showed that of 367 domestic films reviewed, only one was condemned and 52 or 14.17 per cent were classed as B, while of 84 foreign films, six were condemned and 30 or 35.71 per cent were given a B rating.

"While noting the relatively high percentage of morally offensive material in the Hollywood product," the report stated, "the Bishops expressed their gravest concern with the moral qualities of the imported product. Exhibition of such films can do serious harm to the morals and the moral standards of those who patronize them," it was said.

The Bishops warned that in domestic pictures suggestiveness in scenes, dialogue or costuming was the most frequent ground for objection to films, being found on 57 occasions. Improper attitude toward marriage, either treating matrimony irreverently or portraying divorce as the acceptable solution to marital problems, was the next most frequent source of offense, being reported in 28 films.

The Most Reverend Joseph H. Albers, Bishop of Lansing, completed his term as a member of the motion picture committee, and the Most Reverend Michael J. Ready, Bishop of Columbus, was appointed to the vacancy. The Most Reverend William A. Scully, Coadjutor Bishop of Albany, is chairman of the Bishop's Committee.

French Quota Is For Later Product

By EUGEN WEBER

PARIS, Nov. 20 (By Airmail). — A surprise development in the recent Franco-American film agreement is that the quota provided for only applies to films licensed on or after July 1, 1948. Thus, films licensed for import during the first part of the year do not come under the quota, but are in addition to the quota. As a result, the major companies, fearful of flooding the market, will probably limit themselves and keep back some of their first year's quota films for release in 1949.

Meanwhile, several bilateral agreements have been concluded between the French Producers' Union and producers abroad. These agreements concern representation in France and French-speaking countries and appear to have little in common with the commercial accord reached March 20, 1948, between France and Italy, which was arrived at on a much higher level.

This Franco-Italian agreement provided for the importation into Italy of 100 French features and 100 shorts, also for 50,000,000 francs worth of raw stock to be available in Italy for French production there.

Egyptian Production Is in a Bad Way

WASHINGTON, Nov. 25. — Motion picture production in Egypt has been hard hit, largely because of the poor quality of films, Nathan D. Golden, chief of the film branch of the Department of Commerce reports. One result has been the refusal of the government to enforce its limitation of three foreign pictures a year to be dubbed with Arabic sound tracks.

Production is at the rate of 30 pictures a year, but plans for the new season indicate fewer are in prospect.

Curtail Ontario Shows

OTTAWA, Nov. 25.—As a result of power "blackouts" between 9:30 and 10 P.M., theatres in smaller centers of Ontario have been forced to cancel their second shows when power cutoffs have been enforced.

29 Films to Czechs Under MPEA Deal

Directors of the Motion Picture Export Association at a meeting here on Wednesday approved a pact with the Czechoslovak government allowing for the entry of 25 films into that country during a year starting Feb. 1, 1949.

The agreement provides that the Czechs in addition to granting a flat sum advance guarantee for each picture will allow remittances of 75 per cent on a monthly dollar basis. The balance will be blocked for five years or could be invested under restricted conditions.

Czechs will select the films from a list of 100 to be provided by the MPEA under the deal negotiated last month by Eric A. Johnston, MPEA president, and officials of that country's film monopoly. Four films will be sold to the Czechs prior to Feb. 1.

Wednesday's meeting was presided over by Francis Harmon, MPEA vice-president, and was attended by foreign department executives.

Ban on Vaudeville Is Dissolved in Mexico

MEXICO CITY, Nov. 25.—Exhibitors have received with mixed reactions the announcement by the Confederation of Mexican Workers, powerful labor organization, that, in behalf of the National Cinematographic Industry Workers Union, it is again allowing theatres to present vaudeville and other stage entertainment.

When NCIWU resented the formation, five years ago, of the Picture Production Workers Union, CMW dealt NCIWU a hard blow by forbidding picture theatres to give any stage presentations, even the personal appearances of film stars.

Buys Canadian Drive-Ins

TORONTO, Nov. 25.—A. C. Cowan of Toronto, who had previously been linked with Odeon Theatres of Canada in connection with financial deals in the development of the J. Arthur Rank circuit here, has purchased Park Drive-in Theatres, Ltd., from H. J. Ochs of Cleveland and associates. Five drive-ins are involved.

Coming Events

Nov. 27-28—Allied States Association board meeting, Roosevelt Hotel, New Orleans.

Nov. 29-Dec. 1—Allied States Association annual convention, Roosevelt Hotel, New Orleans.

Dec. 6-7—Theatre Owners of Oklahoma annual convention, Skirvin Hotel, Oklahoma City.

Dec. 7.—Allied Independent Theatre Owners of Kansas and Missouri membership meeting, Kansas City.

Dec. 9—Tri-State Theatre Owners Association executive committee meeting, Memphis.

Jan. 28 - 29 — Theatre Owners of America officers and directors meeting, Mayflower Hotel, Washington, D. C.

Mexico's Film Bank In $3 Million Deals

MEXICO CITY, Nov. 25.—The industry's Banco Nacional Cinematografico reports making loans, credits and discounts totaling $3,653,894 this year.

Some producers, anxious about sustained financing in view of the depression, are trying to interest some of the many large bank depositors to invest idle money in production. Industry and agriculture has long been trying to get the money which has been lying idle since Sept., 1939.

Films Are Still on Top in Mexico City

MEXICO CITY, Nov. 25.—Motion pictures still hold top place among this city's amusement seekers, according to a survey by the municipal amusements supervision department, which reports that $14,598,916 was paid for 47,889,207 admissions in 1947. Bull-fighting attracted 1,016,808 customers last year. In 1934 local theatre patronage was 21,353,652.

Three Obtain Interest In Mexican Company

MEXICO CITY, Nov. 25.—A production combine that plans to make 15 films in 1949 has been organized here by William Oscar Jenkins, Emilio Azcarraga and Gabriel Alarcon, all exhibitors. Along with Manuel Espinosa Iglesias, circuit operator, they have acquired a one-third interest in Producciones Grovas.

Argentina Requires Million in Equipment

WASHINGTON, Nov. 25.—Argentina is a market for a least $1,000,000 worth of U. S. motion picture equipment when trade controls are lifted, the U. S. Commerce Department said today.

A report by film chief Nathan D. Golden pointed out, however, that licenses for equipment imports have been suspended since early this year.

To Produce in Mexico

MEXICO CITY, Nov. 25. — Felipe Mier, former Warner manager here and more recently a distributor of Mexican films and theatre equipment importer, is organizing a production and distribution company.



5 times in LIFE alone, 3 times in LOOK . . . and again and again in THE SATURDAY EVENING POST, COLLIER'S, McCALL'S, COSMOPOLITAN, SEVENTEE
AMERICAN, WOMAN'S HOME COMPANION, LADIES HOME JOURNAL, DELL SCREEN UNIT, FAWCETT SCREEN UNIT, HILLMAN MOVIE GROUP, SCREENLAND UN

GOLDWYN HANDS YOU ANOTHER IT PRE-SOLD FOR YOUR BOXOFFICE NPRECEDENTED AD CAMPAIGN!



OOD HOUSEKEEPING, LIBERTY,
DEAL MOVIE GROUP, PHOTOPLAY.

Released by RKO Radio Pictures, Inc.

Estimates of Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

LOS ANGELES

"The Three Musketeers" and "Rogues' Regiment" got off to rousing first weeks in the pre-Thanksgiving stanza, with the holdovers which dominated the first-run scene doing reasonably well. The weather is still summery here, and holiday shopping has not started yet, so there is less counter-draw in the area than there has been and will be for awhile. Estimated receipts for the week ended Nov. 24:

BELLE STARR'S DAUGHTER (20th-Fox-Alson) and APPOINTMENT WITH MURDER (FC)—BELMONT (1,600) (50c-60c-85c-$1.00) 6 days, 2nd week. Gross: $3,500. (Average: $5,750)

BELLE STARR'S DAUGHTER (20th-Fox-Alson) and APPOINTMENT WITH MURDER (FC) — EL REY (861) (50c-60c-85c-$1.00) 6 days, 2nd week. Gross: $3,500. (Average: $4,700)

BELLE STARR'S DAUGHTER (20th-Fox-Alson) and APPOINTMENT WITH MURDER (FC)—ORPHEUM (2,210) 50c-60c-85c-$1.00) 6 days, 2nd week. Gross: $9,000. (Average: $14,650)

BELLE STARR'S DAUGHTER (20th-Fox-Alson) and APPOINTMENT WITH MURDER (FC)—VOGUE (800) (50c-60c-85c-$1.00) 6 days, 2nd week. Gross: $4,500. (Average: $6,500)

HAMLET (U-I-Rank)—FOUR STAR (900) ($1.20-$1.80-$2.40) 4th week. Gross: $18,000. (Average: $7,450)

JUNE BRIDE (WB)—WARNERS (Downtown) (3,400) (50c-60c-80c-$1.00) 4 days, 3rd week. Gross: $7,000.

JUNE BRIDE (WB)—WARNERS (Hollywood) (3,000) (50c-60c-80c-$1.00) 4 days, 3rd week. Gross: $7,500.

JUNE BRIDE (WB)—WARNERS (Wiltern (2,300) (50c-60c-80c-$1.00) 4 days, 3rd week. Gross: $7,800

RED RIVER (UA-Hawks)—MUSIC HALL (Beverly Hills) (900) (85c-$1.00) 6th week. Gross: $3,700. (Average: $3,150)

RED RIVER (UA-Hawks)—MUSIC HALL (Downtown) (900) (85c-$1.00) 6th week. Gross: $10,000. (Average: $7,500)

RED RIVER (UA-Hawks)—MUSIC HALL (Hawaii) (1,000) (85c-$1.00) 6th week. Gross: $4,000. (Average: $3,400)

RED RIVER (UA-Hawks)—MUSIC HALL (Hollywood) (490) (85c) 6th week. Gross: $2,300. (Average: $3,100)

ROAD HOUSE (20th-Fox) and MONEY MADNESS (FC) — CARTHAY CIRCLE (1,516) (50c-60c-85c-$1.00) 2nd week. Gross: $6,500. (Average: $9,500)

ROAD HOUSE (20th-Fox) and MONEY MADNESS (FC)—CHINESE (2,300) (50c-60c-85c-$1.00) 2nd week. Gross: $10,000. (Average: $13,000)

ROAD HOUSE (20th-Fox) and MONEY MADNESS (FC)—LOEW'S STATE (2,500) (50c-60c-85c-$1.00) 2nd week. Gross: $18,500. (Average: $19,800)

ROAD HOUSE (20th-Fox) and MONEY MADNESS (FC) — LOYOLA (1,265) (50c-60c-85c-$1.00) 2nd week. Gross: $8,000. (Average: $10,000)

ROAD HOUSE (20th-Fox) and MONEY MADNESS (FC)—UPTOWN (1,716) (50c-60c-85c-$1.00) 2nd week. Gross: $7,000. (Average: $10,000)

ROGUES' REGIMENT (U-I) and BUNGALOW 13 (20th-Fox-Belsam) — GUILD (965) (50c-60c-85c-$1.00). Gross: $8,500. (Average: $5,450)

ROGUES' REGIMENT (U-I) and BUNGALOW 13 (20th-Fox-Belsam)—IRIS (708) (50c-60c-85c-$1.00). Gross: $8,500. (Average: $6,100)

ROGUES' REGIMENT (U-I) and BUNGALOW 13 (20th-Fox-Belsam)—RITZ (1,376) (50c-60c-85c-$1.00). Gross: $12,000. (Average: $9,050)

ROGUES' REGIMENT (U-I) and BUNGALOW 13 (20th-Fox-Belsam) — STUDIO (880) (50c-60c-85c-$1.00). Gross: $8,500. (Average: $6,300)

ROGUES' REGIMENT (U-I) and BUNGALOW 13 (20th-Fox-Belsam) — UNITED ARTISTS (2,100) (50c-60c-85c-$1.00). Gross: $19,000. (Average: $9,580)

A SONG IS BORN (RKO Radio) and BODYGUARD (RKO Radio) — HILLSTREET (2,700) (50c-60c-80c-$1.00) 6 days, 3rd week. Gross: $9,500. (Average: $9,950)

A SONG IS BORN (RKO Radio) and BODYGUARD (RKO Radio)—PANTAGES (2,000) (50c-60c-80c-$1.00) 6 days, 3rd week. Gross: $9,300. (Average: $17,150)

THE THREE MUSKETEERS (M-G-M)—EGYPTIAN (1,000) (50c-60c-85c-$1.00) 6 days. Gross: $20,500. (Average: $11,500)

THE THREE MUSKETEERS (M-G-M)—FOX-WILSHIRE (2,300) (50c-60c-85c-$1.00) 6 days. Gross: $21,500. (Average: $12,850)

THE THREE MUSKETEERS (M-G-M)—LOS ANGELES (2,096) (50c-60c-85c-$1.00) 6 days. Gross: $37,000. (Average: $18,100)

THE VELVET TOUCH (RKO Radio) and HOMICIDE FOR THREE (Rep.)—PARAMOUNT (Downtown) (3,595) (50c-60c-80c-$1.00) 2nd week. Gross: $9,500. (Average: $16,450)

THE VELVET TOUCH (RKO Radio) and HOMICIDE FOR THREE (Rep.)—PARAMOUNT (Hollywood) (1,407) (50c-60c-80c-$1.00) 2nd week. Gross: $8,000. (Average: $13,000)

PHILADELPHIA

With most theatres holding off on new bookings until the Thanksgiving holiday, grosses slumped this week. However, "Fighter Squadron," which checked into the Mastbaum, did above average business. Estimated receipts for the week ending Nov. 23-25:

CRY OF THE CITY (20th-Fox)—KEITH—(2,200) (50c-60c-74c-80c-85c-94c) 2nd run. Gross: $3,500. (Average: $6,200)

FIGHTER SQUADRON (WB)—MASTBAUM (4,700) (50c-60c-65c-78c-85c-90c-98c). Gross: $26,500. (Average: $22,200)

AN INNOCENT AFFAIR (UA)—ALDINE (900) (50c-60c-65c-78c-85c-90c-99c) 2nd week. Gross: $9,200. (Average: $13,300)

JUNE BRIDE (WB)—BOYD (3,000) (50c-68c-65c-78c-85c-90c-99c) 2nd week. Gross: $18,900. (Average: $20,800)

JULIA MISBEHAVES (M-G-M)—GOLDMAN (1,200) (50c-60c-65c-78c-85c-90c-99c) 4th week. Gross: $11,000. (Average: $19,400)

KISS THE BLOOD OFF MY HANDS (U-I)—EARLE (3,000) (50c-60c-65c-78c-85c-90c-99c) 3rd week. Gross: $16,900. (Average: $22,500)

ROADHOUSE (20th-Fox)—FOX (3,000) (50c-60c-65c-78c-85c-90c-99c) 5 days, 3rd week. Gross: $16,000. (Average: $20,800)

SAN FRANCISCO (M-G-M) and SECRET LAND (M-G-M)—KARLTON (1,000) (50c-60c-65c-78c-85c-90c-99c) 2nd week. Gross: $9,200. (Average: $11,200)

A SONG IS BORN (RKO Radio)—STANLEY (3,000) (50c-60c-65c-78c-85c-90c-99c) 2nd week. Gross: $19,600. (Average: $22,800)

SOFIA (FC) and THE ARGYLE SECRETS (FC)—STANTON (1,000) (50c-60c-65c-78c-85c-90c-99c). Gross: $10,000. (Average: $11,200)

THE VELVET TOUCH (RKO Radio)—ARCADIA (900) (50c-60c-74c-80c-85c-94c) 2nd run. Gross: $4,300. (Average: $4,700)

SAN FRANCISCO

Business remained at a low level this session, with almost all theatres on Market Street in their second week of a run or playing reissues. Estimated receipts for the week ended Nov. 24:

BLOOD ON THE MOON (RKO Radio) and JOE PALOOKA IN WINNER TAKE ALL (Mono.)—RKO GOLDEN GATE (2,835) (95c) 2nd week. Gross: $15,000. (Average: $27,000)

HARPOON and S.O.S. SUBMARINE (SG)—ESQUIRE (1,008) (60c-85c). Gross: $7,300. (Average: $9,000)

JOHNNY BELINDA (WB) — PARAMOUNT (2,735) (60c-85c) 3rd week. Gross: $12,500. (Average: $19,500)

JUNE BRIDE (WB) and HOMICIDE FOR THREE (Rep.)—WARFIELD (2,672) (60c-85c) 2nd week. Gross: $17,000. (Average: $18,800)

KISS THE BLOOD OFF MY HANDS (U-I) and RACING LUCK (Col.)—ORPHEUM (2,440) (60c-85c) 2nd week. Gross: $11,000. (Average: $14,700)

LET'S LIVE A LITTLE (E-L) — ST. FRANCIS (1,430) (60c-85c) 2nd week. Gross: $8,500. (Average: $14,600)

RED RIVER (UA)—UNITED ARTISTS (1,465) (85c) 6th week. Gross: $7,500. (Average: $11,300)

RUNAWAY DAUGHTER and THE DUKE OF WEST POINT (SG)—STATE (2,135) (60c-85c). Gross: $8,000. (Average: $8,500)

ROAD HOUSE (20th-Fox) and THE CREEPER (20th-Fox)—FOX (4,651) (60c-85c). Gross: $20,000. (Average: $23,000)

WHEN MY BABY SMILES AT ME (20th-Fox) and JUNGLE PATROL (20th-Fox)—UNITED NATIONS (1,129) (60c-85c) 2nd week, on a moveover. Gross: $3,000. (Average: $9,000)

OMAHA

Only one of five Omaha first-runs could better par in a week when extreme weather held down theatre patrons. Omaha was the last hit of Nebraska cities by a blizzard of historic proportions. Estimated receipts for the week ending Nov. 24-25:

HOLLOW TRIUMPH (E-L) and THE OLYMPIC GAMES OF 1948 (E-L)—STATE (750) (50c-65c). Gross: $4,800. (Average: $4,800)

ISN'T IT ROMANTIC? (Para.)—ORPHEUM (3,000) (50c-65c). With Art Mooney and Guy Kibbee on stage. Gross: $14,000. (Average: $19,800)

JOHNNY BELINDA (WB) and I WOULDN'T BE IN YOUR SHOES (Mono.)—OMAHA (2,000) (50c-65c) 2nd week for "Johnny Belinda" on a moveover from the Paramount. Gross: $9,400. (Average: $8,500)

JUNE BRIDE (WB) and TRIPLE THREAT (Col.)—RKO-BRANDEIS (1,100) (50c-65c). Gross: $6,800. (Average: $6,800)

WHEN MY BABY SMILES AT ME (20th-Fox)—PARAMOUNT (2,900) (50c-65c). Gross: $9,900. (Average: $11,400)

BUFFALO

"Cry of the City" led here in a fair week. "Julia Misbehaves" was off in a second week. Weather has been cold and overcast. Estimated receipts for the week ending Nov. 25:

CRY OF THE CITY (20th-Fox) and BUNGALOW 13 (20th-Fox) — HIPPODROME (2,100) (40c-50c-60c-70c). Gross: $15,000. (Average: $10,000)

FOR THE LOVE OF MARY (U-I) and OPEN SECRET (E-L)—LAFAYETTE (3,000) (40c-50c-60c-70c). Gross: $13,000. (Average: $13,000)

HOLLOW TRIUMPH (E-L) and MICKEY (E-L) — TWENTIETH CENTURY (3,000) (40c-50c-60c-70c). Gross: $13,000. (Average: $13,000)

I'LL BE SEEING YOU (Selznick-UA) and INTERMEZZO (Selznick-UA)—TECK (1,500) (40c-50c-60c-70c). Reissues. Gross: $3,500. (Average: $4,000)

JULIA MISBEHAVES (M-G-M)—GREAT LAKES (3,000) (40c-50c-60c-70c) 7 days, 2nd week. Gross: $15,000. (Average: $16,000)

JUNE BRIDE (WB)—BUFFALO (3,489) (40c-50c-60c-70c). Gross: $14,700. (Average: $17,000)

MINNEAPOLIS

Business maintained its favorable pace of the past two weeks as wintry weather gripped the area for the first time this year. Estimated receipts for the week ending Nov. 25:

CRY OF THE CITY (20th-Fox)—LYRIC (1,100) (50c-70c) 2nd week. Gross: $5,200. (Average: $5,000)

FRONTIER BADMEN (U-I) and DIAMOND FRONTIER (U-I reissues)—GOPHER (1,000) (44c-50c). Gross: $3,000. (Average: $3,200)

JOHNNY BELINDA (WB)—CENTURY (1,500) (50c-70c) 2nd week. Gross: $6,000. (Average: $5,500)

JUNE BRIDE (WB)—RKO PAN (1,500) (50c-70c) 2nd week. Gross: $8,000. (Average: $8,000)

KISS THE BLOOD OFF MY HANDS (U-I)—RKO ORPHEUM (2,800) (50c-70c). Gross: $14,500. (Average: $14,000)

THE LUCK OF THE IRISH (20th-Fox)—RADIO CITY (4,000) (50c-70c). Gross: $15,000. (Average: $16,000)

PITFALL (UA) — STATE (2,300) (50c-70c). Gross: $12,000. (Average: $10,500)

Defeat Theatre Levy

ST. LOUIS, Nov. 25.—A proposed three per cent amusement tax has been officially rejected by East St. Louis. Mayor John T. Connors described the rejected levy as discriminatory against film theatres.

Nebraska Industry Snarled by Storm

OMAHA, Nov. 25.—Nebraska's film business is in a snarl unrivalled in years, resulting from heavy snow and ice that so far have cost seven lives.

Telephone officials reported 12 towns and cities in Nebraska and Northwest Iowa cut off from all communications. Trains were h[illegible]. Many film trucks were down for [illegible]. All electric power was off in many locations for days.

Local exchanges still are trying to locate many prints and to determine which got through and which did not. Many salesmen spent days on the road, stranded.

Some managers spent nights in their theatres. Others who got out could not get back for several days.

Outstate theatre business in many spots still is at a standstill. Even Omaha and Lincoln, which escaped most of the storm, suffered a severe dent at the box-office.

Dividends Off 15%

(*Continued from page* 1)

ary-through-October total to $36,990,000, compared with $48,465,000 for the first 10 months of 1947 and $35,544,000 in the same 1946 period. Film companies in 1946, however, paid out a whopping $11,170,000 in the last two months, hardly likely to be duplicated this year. Payments in the last two months of 1947 totaled only $8,176,000. Payments have run below 1947 in practically every months this year.

Commerce estimates publicly-reported dividends at about 60 per cent of the grand total. If dividend payments in the last two months of 1948 reach the 1947 level—which is not too likely—publicly-reported payments will total about $45,000,000 for the year, indicating grand total payments of about $75,000,000. This compares with an estimated $90,000,000 in total payments last year, and about $77,000,000 in 1946.

Commerce officials said the October drop was due principally to the fact that Warner and RKO lowered their dividends while Universal skipped its payment entirely.

Gorrel Adds Sixth Theatre to Circuit

CLEVELAND, Nov. 25. — Detroit Enterprises, Inc., has been formed here by S. P. Gorrel, former local Republic branch manager, to operate the Detroit Theatre which he recently leased here from the Associated Circuit. He now has an interest in five other theatres, including the Southern in Cleveland; Orr and Grand in Orville, the Tipp in Tippecanoe, and the Brad in Bradford.

Crescent To Build One

NASHVILLE, Nov. 25.—Judge Elmer D. Davies of U. S. District Court has ruled that Crescent Amusement Co. may erect a new theatre at Morristown, Tenn., but has denied Crescent's application for permission to construct a drive-in at Hopkinsville, Ky.

Hensler Opens Theatre

AUBURNDALE, Fla., Nov. 25.—Formal opening of the Auburn Theatre here will be held next Tuesday evening. Maurice E. Hensler, owner of the theatre, has arranged a buffet supper to which he has invited industry and trade press representatives.

E-L's Drive Kickoff In Seattle Monday

SEATTLE, Nov. 25.—Kickoff of Eagle-Lion's Jack Schlaifer testimonial drive will take place here Monday with William J. Heineman, distribution vice-president, and Milton E. Cohen, drive captain, joining a local exhibitors' tribute to Schlaifer.

Heineman, accompanied by Cohen, Eastern sales manager, will arrive here Sunday night. They will conduct sales meetings in the Seattle branch Monday prior to attending the exhibitor luncheon for Schlaifer at the Olympic Hotel, officially marking the start of the 26-week drive.

From Seattle, Heineman and Cohen will go to Portland and San Francisco for drive meetings, following which Heineman will go to Dallas for the testimonial dinner to R. J. O'Donnell, and Cohen will proceed to E-L's branches in Salt Lake City, Denver and Dallas.

Two Radio Stations Sold in Colorado

DENVER, Nov. 25.—KLZ in Denver, and KVOR in Colorado Springs, have been sold by the Oklahoma Publishing Co. to Aladdin Radio and Television Corp. for a reported $1,000,000.

Aladdin was formed by Harry Huffman, Denver city manager of Fox Intermountain Theatres as president; Frank H. Ricketson, Jr., president, Fox Intermountain Theatres, treasurer. and Albert Gould, company attorney, as secretary. Hugh B. Terry, KLZ manager, has been made executive vice-president and general manager. Everett Shupe will remain as KVOR manager. Members of Aladdin include Ted Gamble, Portland, Ore., and Elroy McCaw, Cenficial said here.

See Channels Set For Studio Needs

WASHINGTON, Nov. 25. — Federal Communications Commission officials have indicated that they will "take care" of Hollywood studios' needs for channels for on-location broadcasting when they issue final rules allocating channels to various industries and services, a prominent film industry official said here.

When the FCC issued proposed rules, there were no channels for the studios to use in on-location work.

20th-Fox Bid

(*Continued from page* 1)

legal considerations and would have to be approved by the Federal Communications Commission before it could be consummated.

Primary interest of 20th-Fox in acquisition of ABC is believed to be in the latter's television facilities, rather than its vastly larger national radio network of five wholly-owned stations and more than 250 affiliated stations. ABC has its own television station here and has 13 affiliated video stations.

Edward J. Noble acquired ABC, the former Blue Network, from National Broadcasting Co. in 1943 for $8,000,000, putting up half the purchase price himself. Current value of ABC is estimated at $20,000,000.

Reviews

"Strike It Rich"

(*Allied Artists-Monogram*) *Hollywood, Nov.* 25

UNDOUBTEDLY the best thing to do by way of preparing oneself to produce a picture about the oil industry is to first go out and earn several million dollars in the oil business. Jack Wrather probably did not have the former in mind while he was doing the latter, but the net result is the same—his story of oil drilling and oil battling in the mid-30's is literally drenched with authenticity. It has Rod Cameron, Bonita Granville, Don Castle, Stuart Erwin and other able, nameful players in it, plus action, suspense and surprise, but the authenticity of the thing is what sets it apart from all other pictures in kind as distinctly and unmistakably the McCoy. You do not have to know a thing about oil to sense that from the opening shot. Ditto the public. And authenticity is about the rarest article on the entertainment market.

The original screenplay, by Francis Rosenwald, traces the careers of Cameron, Castle and Erwin, three oil field sharpies successfully engaged in fleecing suckers, who get along fine together as long as they stay crooked, but run into disagreement and conflict when first one and then another strikes it rich. First to strike it rich is Castle, whose girl, Miss Granville, has eloped with Cameron. Castle's success impels Cameron to seek to send his wife back to Castle, but she declines to go. Then Cameron strikes it rich, even richer than Castle, and eventually the two men find themselves leading opposing factions—the combination vs. the independents—in the "hot oil" strife that tore Texas wide open about 1936 or so. They resolve their differences as strong men should, against a background of National Guard force and embattled oilmen, but there is nothing ordinary about any of this. Lesley Selander directed the picture, with Sherman A. Harris supervising production, and an altogether admirable job it is.

Running time, 81 minutes. General audience classification. Release date, not set.

WILLIAM R. WEAVER

"Sons of Adventure"

(*Republic*)

THE VARIED dare-devil activities of motion picture stunt men form an interesting background for this standard mystery adventure, which features such breakneck activities as street fights, shootings, runaway horses and dangerous automobile rides.

Two stunt men become buddies during the war while battling the Japanese on a Pacific Island. Returning, Russ Hayden secures a job for his pal, Gordon Jones, a circus stunt man, and they go to work on a Western film set. Lynne Roberts plays a stunt rider and is Hayden's girl.

In a shooting scene the hero of the "movie" in work is accidentally killed when a real bullet was put in the place of the usual blank. Jones is suspected of the killing but is released when no motive is found. Hayden and Miss Roberts set about finding the real killer and suffer a number of mysterious accidents. The murderer knows that Hayden possesses some incriminating information and attempts to kill him. At a party given when the film is completed, the killer makes another attempt on Hayden's life. However, Hayden outsmarts him. He turns out to be the "movie's" assistant director, played by George Chandler who dies in a fall from a set. Hayden is named assistant director and he and Miss Roberts "live happily ever after," etc.

Franklin Adreon was associate producer, and Yakima Canutt directed, from an original screenplay by Adreon and Sol Shor. Others in the large cast are: Grant Withers, George Chandler, John Newland, Stephanie Bachelor, John Holland, Gilbert Frye, Richard Irving, Joan Blair, John Crawford, Keith Richards, James Dale.

Running time, 60 minutes. General audience classification.

"Appointment with Murder"

(*Film Classics*)

JOHN CALVERT, as the Falcon, is assigned by an insurance company to recover two stolen paintings, the pursuit taking him to Italy, with action and excitement breaking out all around. It all adds up to standard melodramatic fare.

The Falcon locates one of the supposedly genuine paintings in Italy and finds that the other is in a Los Angeles art gallery. There he meets the gallery's manager, played by Catherine Craig, who has the other painting for sale. They become partners and the Falcon attempts to discover who is responsible for their theft and for the murder of an Italian painter who made what turns out to be these almost perfect copies of original masterpieces. Jack Reitzer plays the villain who schemed to profit on the sale of the pseudo paintings. The girl is cleared of any connection with the crime when the culprit is taken into custody.

The film is presented by Falcon Productions, with Jack Bernhard directing. The screenplay was written by Don Martin; the original story based on Michael Arlen's character of the Falcon, was written by Joel Malone and Harold Swanton.

Running time, 67 minutes. General audience classification.

Graff in WBKB Post

CHICAGO, Nov. 25.—Appointment of E. Jonny Graff, radio and television director, writer, and advertising executive, as head of programs and production at WBKB, Chicago, is announced by John Balaban, WBKB director.

Heads N.E. Warner Club

HARTFORD, Nov. 25.—Frank Flood has been elected president of the New England Warner Club, with Jim Bracken, Jeanette Shields and Mary M. Pieper as vice-presidents, Evelyn Stark as secretary and Joseph DeLouise as treasurer.

New Increase in Video Channels Is Pending

WASHINGTON, Nov. 25. — Federal Communications Commission's temporary cessation of processing and granting applications for commercial television stations was due to a large extent to the prospect of an immediate increase in the number of channels which could be made available to applicants, a source close to FCC discloses. When the "freeze" was applied on Sept. 30, FCC said it would prevail until the Commission has a chance to overhaul its video rules and policies.

Television scientists and technicians, it is said, have informed FCC that the scope of available channels is due to be widened as a result of recent research.

Show 'Squadron' in D.C.

WASHINGTON, Nov. 25.—Top Air Force officials attended a special guest premiere of "Fighter Squadron" at the Warner Theatre here Wednesday night. Several holders of the Congressional Medal of Honor and more than a dozen Air Force generals were present.

'Newsweek' Aids 'Squadron'

Newsweek magazine has prepared a special four-page brochure devoted to Warner Brothers' "Fighter Squadron," with a special introduction by Gen. Carl Spaatz, now contributing editor to the magazine. The brochure also carries scenes from the production and ties in the story of the fighter plane with "Fighter Squadron."

Acquires Albany House

ALBANY, N. Y., Nov. 25. — Harry Eisenstein of New York has taken over the Colonial Theatre which has embarked on a policy of revivals of American films and the exhibition of foreign product. Friedman and Orson, Yonkers exhibitors, operated the house previously. A coffee lounge and nursery will be installed. Herbert Jacobs is manager. The Colonial was owned for many years by the William Berinstein estate.

Hellman Buys Drive-in

ALBANY, N. Y., Nov. 25.—Purchase of the Fabian interest in the Tri-City Drive-in at Binghamton has been announced by Neil Hellman. Fabian and the Hellmans pooled the drive-in, which has a 625-car capacity, when it was built. It was opened in August, 1946. Hellman continues as general manager of the Fabian-Hellman Mohawk, Saratoga and Philadelphia drive-ins.

'U' To Make NAM Film

Finalization of a deal under which Universal will produce a 16mm. film for the National Association of Manufacturers has been announced here by Holcombe Parkes, NAM public relations vice-president. The picture, entitled "What Makes America Click?" is slated to go before the cameras about Dec. 10.

Mayer-Burstyn Get Film

World distribution rights to "The Quiet One," documentary produced by Film Documents, Inc., have been acquired by Arthur Mayer and Joseph Burstyn, Inc. The film, produced by Janice Loeb, with William Levitt as associate producer, will open on Broadway before Christmas.


The amazing story of...
a woman cursed
IT'S A WOMAN'S PICTURE!
IT'S A MAN'S

by eternal youth!







ANGEL ON THE AMAZON

Starring

GEORGE BRENT · VERA RALSTON
BRIAN AHERNE · CONSTANCE BENNETT

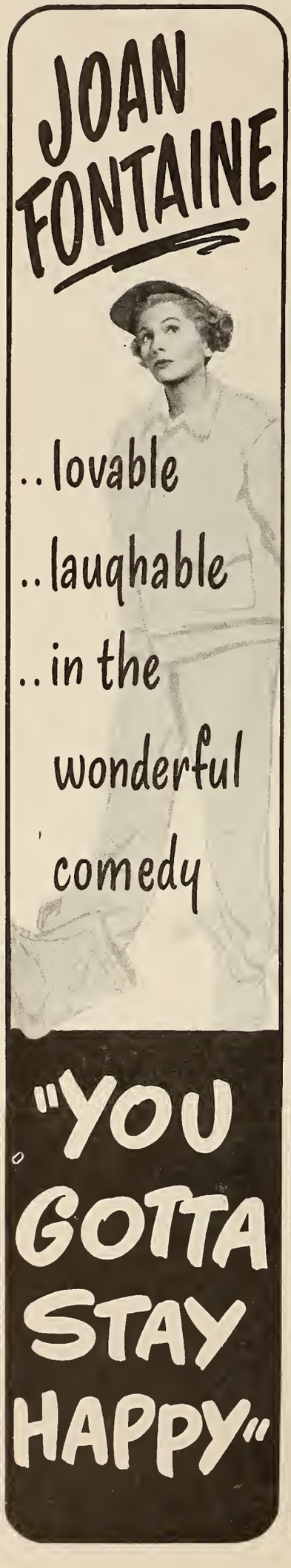
with FORTUNIO BONANOVA • ALFONSO BEDOYA • GUS SCHILLING • RICHARD CRANE

Screen Play by LAWRENCE KIMBLE • Original Story by EARL FELTON

Associate Producer-Director JOHN H. AUER

A REPUBLIC PICTURE

PICTURE! *IT'S A MONEY PICTURE!*



Allied

(*Continued from page* 1)

and Sunday, and also on the agenda of the organization's annual convention, Monday through Wednesday, likewise at the Roosevelt. Abram F. Myers, board chairman, will preside at both.

Would Allow Previous Films

Nothing would be done about pictures made before the "misbehaving." Allied officials are reported willing to recognize the large investment often represented by such pictures, and feel that the barring of the stars from future employment will rob them of the "glamor" now attached to wrongdoers, and will convince the public that the industry is trying to keep its house in order and thus clear exhibitors for showing these films.

The Allied resolution on the Finneran Plan, it was understood, quotes copiously from the Production Code. It declares that the stars exert an enormous influence on the general public, especially adolescents, and that many have gained notoriety for acts at variance with Code principles.

The resolution condemns the minority for bringing the majority of clean-living actors and the industry in general into disrepute, and criticizes the industry for taking elaborate precautions to clean up its films but doing nothing for disciplining stars for doing things that would be cut out of films.

Like Baseball Code

So Allied proposes a set-up similar to the disciplining system in big-league baseball. It would write into the Production Code a section that no player who gains notoriety for any conduct that would not be allowed by the Code in a film will be barred from making films until he is acquitted by the appropriate court, or, if the act is not a bookable offense, is exonerated by a new intra-agency board.

Any picture made in violation of this section would not receive the Production Code seal. For minor offenses, not involving much public notoriety, the intra-agency board would mete out short-term suspensions or fines.

Pictures already made would be released, because "if the stars are strictly dealt with, the pictures will not bring ill-will on the industry."

Lengthy Agenda Mapped For Allied Board Meeting

NEW ORLEANS, Nov. 25.—An agenda of unusual length and top importance will face the board of directors of Allied States Association when it convenes in the Hotel Roosevelt Saturday morning at the rap of the gavel by board chairman Abram F. Myers, for its 20th annual convention to run through Sunday. The association's annual convention will open on Monday morning and will run through Wednesday, also at the Roosevelt.

To Attack 'Forced Percentage'

Subjects high on the agenda include a potential nationwide Allied attack on forced percentage playing, a drive for the establishment of special regional anti-trust courts, the Finneran Plan for disciplining errant stars, an amendment to the Robinson-Patman Act to make it apply to motion pictures, repeal of the 20 per cent Federal ticket tax, or at least its reduction to 10 per cent, and a thorough airing of film rental problems in general.

The board will also discuss the threatening challenge of television to theatres, as well as a possible appeal to film companies to withhold regular entertainment films from telecasts in competition with theatres.

National Allied will welcome its 19th regional affiliate at Monday's convention, after the board approves the membership application over the weekend of the new Mid-Central Allied, which has headquarters in St. Louis. Henry Holloway, Mid-Central, will head his organization's delegation, which will also include Jeff Jefferis, Hugh Graham, Charles Beninati, W. H. Hoffman and Andy Dietz.

To Discuss Legal Cases

Reports will be read on the status of the Paramount New York anti-trust action, and the Schine and Griffith cases; also, RKO's consent decree in the New York case. No less important subjects intended for board consideration are the Smith-Berger conciliation plan, the Allied Caravan, and some other matters.

National Allied directors include: Nathan Yamins, New England; Maxwell A. Alderman, Connecticut; Edward Lachman, New Jersey; Harry Chertcoff, Eastern Pennsylvania; Meyer Leventhal, Maryland, M. A. Rosenberg, Western Pennsylvania; P. J. Wood, Ohio; Trueman Rembusch, Indiana; John Wolfberg, Rocky Mountain; W. A. Prewitt, Jr., Gulf States; Ray Branch, Michigan; Jack Kirsch, Illinois; Sigmund Goldberg, Wisconsin; Charles Niles, Iowa-Nebraska; E. R. Custer, West Virginia; Benjamin N. Berger, North-Central; H. A. Cole, Texas; O. F. Sullivan, Kansas-Missouri.

NCA To Seek Rule Against Checkers

Minneapolis, Nov. 25.—North Central Allied's board of directors has instructed executive director Stan Kane to "take such action as may be necessary" to make it unlawful for "blind" checkers to operate in Minnesota without being licensed and bonded. First move will be to secure an opinion from the state attorney general, as in Wisconsin, which held blind checkers in the same light as private detectives. A law to license all checkers in Minnesota was ruled out several years ago.

Wisconsin ruled, however, that checkers of Confidential Reports, Inc., are not blind checkers and, therefore, its statute does not apply to them.

UJA Cites Skouras

(*Continued from page* 1)

from Sam Rinzler, circuit executive, and Dr. Jonah B. Wise, member of the UJA's executive committee. Wise also paid tribute to the record of the industry as a whole.

The amusement division so far this year has collected $1,356,140, compared to $1,080,000 in the preceding year, Fabian announced.

U.S. Lawyers to Okla. For Griffith Case

WASHINGTON, Nov. 25.—George W. Wise and Milton Kallis, Justice Department attorneys in the Griffith case, left Washington today by plane for Oklahoma City to represent the government in the proceedings scheduled there for Nov. 30.

Kodak Decree

(*Continued from page* 1)

to all applicants in amounts required all film manufactured by E-K.

E-K counsel revealed that Thomas J. Hargrave, E-K president, expressed gratification that the case "is ended without the burden of a trial" and that the company will provide licensees with a manual of instructions for use in applying the processes.

Hargrave was also quoted as saying: "When this action began I said there was nothing in any agreement with Kodak by which Technicolor would control or monopolize professional color photography in the motion picture field." He pointed out that Kodak patents, not Technicolor patents, are released by the decree.

WASHINGTON, Nov. 25.—Disclosing that the judgment entered on Wednesday against Eastman Kodak closes the Department of Justice's case against that company but not against Technicolor, a Department spokesman said the consent decree "will open the color motion picture industry to competition."

According to Assistant Attorney General Herbert A. Bergson, in charge of the anti-trust division, the decree "should also be helpful in restoring competition to this business, over 90 per cent of which has been controlled by Technicolor, aided by its agreements with Eastman."

Ascap Appeals

(*Continued from page* 1)

not entitled to collect music fees from theatres.

Ascap has 20 days to file briefs with the U. S. Circuit Court of Appeals.

At a hearing in Minneapolis Federal Court, scheduled for Dec. 13, Ascap will oppose an application for legal fees of $15,000 which has been submitted by Louis B. Schwartz and Samuel P. Halperin, counsel for the defendant exhibitors.

No action has been taken yet by Schwartz to recover money paid to Ascap for public performance rights to music by exhibitors here.

Averbach in New Post

CLEVELAND, Nov. 25. — Lou Averbach, former assistant to Paramount division manager Earl Sweigert, has been appointed assistant to district manager Harry H. Goldstein, who is in charge of Cleveland, Cincinnati and Detroit.



MEMBER FEDERAL DEPOSIT INSURANCE CORPORATION

RE-ISSUES WANTED
FOR NATIONAL DISTRIBUTION BY EXPERIENCED DISTRIBUTOR
BOX 418, M. P. DAILY
1270 Sixth Ave., N. Y. 20

MOTION PICTURE DAILY'S BOOKING CHART

WEEK OF	COLUMBIA	EAGLE-LION	M-G-M	MONO.	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIV.-INT'L.	WARNERS
Oct. 31	(Oct. Releases) LOVES OF CARMEN (Color) Rita Hayworth Glenn Ford D-98 min. (Rev. 8/20/48) I SURRENDER DEAR Gloria Jean D-68 min.	LET'S LIVE A LITTLE Hedy Lamarr Robert Cummings DC—97 min. (907) (Rev. 10/27/48)			SEALED VERDICT Ray Milland Florence Marly D-83 min. (4804) (Rev. 9/8/48)	ANGEL ON THE AMAZON George Brent Vera Ralston D (Reissue) SHINE ON HARVEST MOON Roy Rogers O—57 min. SUNDOWN IN SANTA FE Alan Rocky Lane O—60 min.	A SONG IS BORN (Color) Danny Kaye Virginia Mayo C—113 min. (952) (Rev. 8/25/48)	(Oct. Releases) CRY OF THE CITY Victor Mature Richard Conte D—95 min. (841) (Rev. 9/15/48) APARTMENT FOR PEGGY (Color) Jeanne Crain William Holden D—99 min. (842) (Rev. 9/9/48)	(Popkin) MY DEAR SECRETARY Laraine Day Kirk Douglas C—94 min. (Rev 9/7/48)		
Nov. 7	RUSTY LEADS THE WAY Ted Donaldson D-59 min. THE UNTAMED BREED (Color) Sonny Tufts Barbara Britton D EL DORADO PASS Charles Starrett O	MILLION DOLLAR WEEKEND Gene Raymond Francis Lederer D—73 min. (Rev. 11/1/48)	(Enterprise) NO MINOR VICES Dana Andrews Lilli Palmer CD—96 min. (904) (Rev. 11/8/48)	GUNNING FOR FOR JUSTICE Johnny Mack Brown O—74 min.		GRAND CANYON TRAIL (Color) Roy Rogers Jane Frazee O—67 min. (734) (Rev. 11/23/48)		(Wurtzel) NIGHT WIND Charles Russell D—68 min. (843) (Rev. 8/25/48)	(Rogers-Cohn) HIGH FURY Madeleine Carroll Ian Hunter D—71 min. (Rev. 11/10/48)	(Nov. Releases) KISS THE BLOOD OFF MY HANDS Burt Lancaster Joan Fontaine Robert Newton D—79 min. (Rev. 10/21/48)	JUNE BRIDE Bette Davis Robt. Montgomery D-97 min. (805) (Rev. 10/21/48)
Nov. 14				(Allied Artists) LAST OF THE BAD MEN Barry Sullivan Marjorie Reynolds O—74 min.	MISS TATLOCK'S MILLIONS Wanda Hendrix John Lund C—101 min. (4805) (Rev. 9/13/48)						
Nov. 21			THE THREE MUSKETEERS (Color) Lana Turner Gene Kelly D—125 min. (906) (Rev. 10/13/48)	COURTIN' TROUBLE Jimmy Wakely O—55 min. (4768)		RENEGADES OF SONORA Alan Rocky Lane O—60 min.	BLOOD ON THE MOON Robert Mitchum Barbara Bel Geddes D—88 min. (909) (Rev. 11/11/48)	(Nov. Releases) BUNGALOW 13 Tom Conway Margaret Hamilton D		ROGUES' REGIMENT Dick Powell Martha Toren Vincent Price D—85 min. (Rev. 10/8/48)	FIGHTER SQUADRON (Color) Edmond O'Brien Robert Stack D—96 min. (806) (Rev. 11/18/48)
Nov. 28	(Nov. Releases) LEATHER GLOVES Cameron Mitchell D—75 min. (Rev. 10/8/48)	HE WALKED BY NIGHT Richard Basehart Scott Brady D—80 min. (Rev. 11/11/48)		KIDNAPPED Roddy McDowall D—71 min. (Rev. 10/8/48)	DISASTER Richard Denning Trudy Marshall D—60 min. (4806) (Rev. 10/29/48)	(Reissue) YOKEL BOY Joan Davis C—68 min. (Rev. 3/19/42)		WHEN MY BABY SMILES AT ME Betty Grable Dan Dailey DM—98 min. (845) (Rev. 11/5/48)			
Dec. 5	RACING LUCK Gloria Henry D—66 min. THE RETURN OF OCTOBER (Color) Glenn Ford Terry Moore D—89 min. (Rev. 10/22/48)		(Re-release) SAN FRANCISCO Clark Gable Jeanette MacDonald D—115 min. (Rev. 6/24/36) HILLS OF HOME (Color) Edmund Gwenn Janet Leigh D—91 min. (Rev. 10/8/48)	HIDDEN DANGER Johnny Mack Brown O		(Reissue) SCATTERBRAIN Judy Canova C—72 min. (Rev. 7/9/40)	INDIAN AGENT Tim Holt O—65 min. (Rev. 11/23/48)	ROAD HOUSE Ida Lupino Cornel Wilde Richard Widmark D—95 min. (844) (Rev. 9/22/48) BELLE STARR'S DAUGHTER George Montgomery Rod Cameron D—86 min. (Rev. 10/26/48)	(Dec. Releases) COUNTESS OF MONTE CRISTO Sonja Henie Olga San Juan C—77 min. (Rev. 11/4/48)	(Reissue) ANGELS WITH DIRTY FACES James Cagney Pat O'Brien D—97 min. (Rev. 10/24/38)
Dec. 12	THE GALLANT BLADE (Color) Larry Parks Marguerite Chapman D—81 min. (Rev. 10/21/48)		NIGHT AT THE OPERA Marx Bros. Kitty Carlisle C—93 min. (Rev. 10/15/35)	JIGGS AND MAGGIE IN COURT Joe Yule Renie Riano C		THE PLUNDERERS (Color) Rod Cameron Ilona Massey O—87 min. (721) (Rev. 11/8/48) HOMICIDE FOR THREE Warren Douglas Audrey Long D—60 min.		JUNGLE PATROL Kristine Miller Arthur Franz D—76 min. (848) (Rev. 11/5/48)		MEXICAN HAYRIDE Abbott & Costello Luba Malina Virginia Grey C	(Reissue) THEY DRIVE BY NIGHT George Raft Ann Sheridan D—95 min. (Rev. 7/15/40)
Dec. 19	(Dec. Releases) THE MAN FROM COLORADO (Color) Glenn Ford William Holden D—99 min. (Rev. 11/18/48)			THE FEATHERED SERPENT Roland Winters D	THE PALEFACE (Color) Bob Hope Jane Russell C—91 min. (4807) (Rev. 10/21/48)	(Reissue) IN OLD CALIENTE Roy Rogers O—57 min. (Rev. 7/14/39)	EVERY GIRL SHOULD BE MARRIED Cary Grant Franchot Tone Diana Lynn C—85 min. (908) (Rev. 11/10/48)	(Dec. Releases) UNFAITHFULLY YOURS Rex Harrison Linda Darnell DC—105 min. (Rev. 9/30/48) TROUBLE PREFERRED Peggy Knudson Lynne Roberts D			THE DECISION OF CHRISTOPHER BLAKE Alexis Smith Robert Douglas D
Dec. 26	JUNGLE JIM Johnny Weissmuller Virginia Grey D		WORDS AND MUSIC (Color) Judy Garland Mickey Rooney M	CRASHING THRU Whip Wilson O	FAR FRONTIER (Color) Roy Rogers Gail Davis O	(Walt Disney) SO DEAR TO MY HEART (Color) Bobby Driscoll Luana Patter	YELLOW SKY Gregory Peck Anne Baxter Richard Widmark D—98 min. (Rev. 11/22/48)	(Jan. Releases) YOU GOTTA STAY HAPPY Joan Fontaine James Stewart Eddie Albert CD—100 min. (Rev. 10/28/48		ONE SUNDAY AFTERNOON (Color) Dennis Morgan Dorothy Malone D
Jan. 2	BLONDIE'S SECRET Penny Singleton Arthur Lake C—69 min. QUICK ON THE TRIGGER Charles Starrett O		(Argosy) 3 GODFATHERS (Color) John Wayne	INCIDENT Warren Douglas Jane Frazee D				(Jan. Releases) THE SNAKE PIT Olivia de Havilland Leo Genn D—108 min. (Rev. 11/3/46) THAT WONDERFUL URGE Tyrone Power Gene Tierney C—82 min. (Rev. 11/24/48)		LIVE TODAY FOR TOMORROW Fredric March Florence Eldridge Edmond O'Brien D	
Jan. 9	SMOKEY MOUNTAIN MELODY Roy Acuff O		(Enterprise) FORCE OF EVIL John Garfield D		THE ACCUSED Loretta Young Robert Cummings D—101 min. (4808) (Rev. 11/17/48)	WAKE OF RED WITCH John Wayne Gail Russell D ROSE OF THE YUKON Steve Brodie Myrna Dell O	BOY WITH GREEN HAIR (Color) Pat O'Brien Robert Ryan D—82 min. (Rev. 11/17/48)				

SRO

MR. BLANDINGS BUILDS HIS DREAM HOUSE
Cary Grant
Myrna Loy
C—96 min. (206)
(Rev. 3/25/48)
(Release date, Oct.)

THE PARADINE CASE
Gregory Peck
Ann Todd
D—117 min. (105)
(Rev. 12/30/47)
(Release date. Oct.)

PORTRAIT OF JENNIE
Jennifer Jones
Joseph Cotten
D
(Release date, Dec.)

FILM CLASSICS

SOFIA
(Color)
Gene Raymond
D—83 min.
(Rev. 8/16/48)
(Release date, Oct.)

MIRACULOUS JOURNEY
(Color)
Audrey Long
D—83 min.
(Rev. 8/5/48)
(Release date. Oct.)

BLONDE ICE
Leslie Brooks
D—72 min.
(Rev. 5/28/48)
(Release date. Oct.)

WOLF MAN
(Re-release)
D—70 min.
Rev. 12/10/41)
(Release date. Oct.)

INNER SANCTUM
Mary Beth Hughes
D—62 min.
(Rev. 10/29/48)
(Rel. date: Oct.)

UNKNOWN ISLAND
(Color)
Virginia Grey
D—76 min.
(Rev. 11/19/48)
(Release date. Nov.)

APPOINTMENT WITH MURDER
D
(Rel. date: Oct.)

DAUGHTER OF RAMONA
(Color)
D
(Release date. Nov.)

FILE 649
STATE DEPT.
Virginia Bruce
D
(Release date. Dec.)

SCREEN GUILD

DEAD MAN'S GOLD
Lash LaRue
O
(Rel. date, Nov. 6)

THUNDER IN THE PINES
D
(Rel. date, Nov. 20)

LAST OF THE WILD HORSES
D
(Rel. date. Nov. 13)

MARK OF THE LASH
Lash LaRue
D
(Rel. date. Nov. 27)

[Dates Are Based on National Release Schedules and Are Subject to Change. Letters Denote the Following: (D) Drama. (M) Musical. (C) Comedy. (O) Outdoor Action. Production Numbers Are in Parentheses. (Rev.) Motion Picture Daily Review Date.]



WARNER XMAS SHOW

ONE SUNDAY AFTERNOON

COLOR BY TECHNICOLOR

WARNER TRADE SHOW



MONDAY DEC. 6TH

ALBANY
Warner Screening Room
79 N. Pearl St. • 12:30 P.M.

ATLANTA
20th Century-Fox Screening Room
197 Walton St. N.W. • 2:30 P.M.

BOSTON
RKO Screening Room
122 Arlington St. • 2:30 P.M.

BUFFALO
Paramount Screening Room
464 Franklin St. • 2:00 P.M.

CHARLOTTE
20th Century-Fox Screening Room
308 S. Church St. • 10:00 A.M.

CHICAGO
Warner Screening Room
1307 So. Wabash Ave. • 1:30 P.M.

CINCINNATI
RKO Screening Room
Palace Th. Bldg. E. 6th • 2:00 P.M.

CLEVELAND
Warner Screening Room
2300 Payne Ave. • 2:00 P.M.

DALLAS
20th Century-Fox Screening Room
1803 Wood St. • 2:00 P.M.

DENVER
Paramount Screening Room
2100 Stout St. • 2:00 P.M.

DES MOINES
20th Century-Fox Screening Room
1300 High St. • 12:45 P.M.

DETROIT
Film Exchange Building
2310 Cass Ave. • 2:00 P.M.

INDIANAPOLIS
Universol Screening Room
517 No. Illinois St. • 1:00 P.M

KANSAS CITY
20th Century-Fox Screening Room
1720 Wyandotte St. • 1:30 P.M.

LOS ANGELES
Warner Screening Room
2025 S. Vermont Ave. • 2:00 P.M.

MEMPHIS
20th Century-Fox Screening Room
151 Vance Ave. • 10:00 A.M.

MILWAUKEE
Warner Theatre Screening Room
212 W. Wisconsin Ae. • 2:00 P.M.

MINNEAPOLIS
Warner Screening Room
1000 Currie Ave. • 2:00 P.M.

NEW HAVEN
Warner Theatre Projection Room
70 College St. • 2:00 P.M.

NEW ORLEANS
20th Century-Fox Screening Room
200 S. Liberty St. • 1:30 P.M.

NEW YORK
Home Office
321 W. 44th St. • 2:30 P.M.

OKLAHOMA
20th Century-Fox Screening Room
10 North Lee St. • 1:30 P.M.

OMAHA
20th Century-Fox Screening Room
1502 Dovenport St. • 1:00 P.M.

PHILADELPHIA
Warner Screening Room
230 No. 13th St. • 2:30 P.M.

PITTSBURGH
20th Century-Fox Screening Room
1715 Blvd. of Allies • 1:30 P.M.

PORTLAND
Jewel Box Screening Room
1947 N.W. Kearney St. • 2:00 P.M.

SALT LAKE
20th Century-Fox Screening Room
216 East 1st South • 2:00 P.M.

SAN FRANCISCO
Paramount Screening Room
205 Golden Gate Ave. • 1:30 P.M.

SEATTLE
Jewel Box Screening Room
2318 Second Ave. • 10:30 A.M.

ST. LOUIS
S'renco Screening Room
3143 Olive St. • 1:00 P.M.

WASHINGTON
Warner Theatre Building
13th & E Sts. N.W. • 10:30 A.M.

DENNIS MORGAN · DOROTHY MALONE · DON DeFORE · JANIS PAIGE

"ONE SUNDAY AFTERNOON"

Directed by [illegible] • Produced by [illegible]

Screen Play by ROBERT L. RICHARDS From the Play by JAMES HAGAN • Musical Numbers Created and Staged by LeROY PRINZ • Music Arranged and Adapted by RAY HEINDORF

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64. NO. 103 NEW YORK, U.S.A., MONDAY, NOVEMBER 29, 1948 TEN CENTS

FILE COPY

Rank Closing His Islington Studio in Jan.

300 Workers Affected; Move Startles Trade

LONDON, Nov. 28.—J. Arthur Rank will close the Gainsborough Islington studio here early next year.

Although the move is described as a further step in the "streamlining" of Rank's huge organization, it startled the industry here both by its unexpectedness and as an indication of the scale of retrenchment to which Rank apparently is driven.

Approximately 300 employes will be affected by the close-down. Rank promises that wherever practicable they will be absorbed elsewhere but it appears that the number who will be so aided is inconsiderable.

Rank claims that the total output of his production companies will not be reduced by the shutdown and, indeed, suggests that the step will make additional studio space available to other producers, including those now receiving financial aid from the government,

(*Continued on page 3*)

Para., US in Decree Talks

Increasing evidence that Paramount is renewing efforts to effect a consent decree in the industry anti-trust case came into view on Friday as four representatives of the company returned to the home office from Washington where they had conferred with Herbert Bergson, head of the Justice Department's anti-trust division, and Robert Wright, government attorney in the case.

While it was acknowledged that

(*Continued on page 6*)

U. S. Subpoenas 43 For Griffith Case

OKLAHOMA CITY, Nov. 28.—Government attorneys have subpoenaed 43 witnesses in five states to testify in hearings on the Griffith anti-trust case scheduled to go before Judge Edgar S. Vaught Tuesday. Upon learning of the action, defense attorneys inferred the government will attempt

(*Continued on page 6*)

Allied Meet Starts Today

NEW ORLEANS, Nov. 28.—The largest attendance of any national Allied States annual convention was indicated here today by the reservation list of well over 500 delegates to the three-day session which opens tomorrow morning at the Roosevelt Hotel to take up an agenda as extensive as any ever to face an Allied convention in the organization's 20 years. William L. Ainsworth, president, will preside, with Abram F. Myers, board chairman, on the rostrum with him, and board members in attendance, remaining here following



Wm. L. Ainsworth

(*Continued on page 3*)

Exhibitors to Get Industry Sales Talk

Theatre owners throughout America this week will receive from the Motion Picture Industry Film Project Committee first official data on the all-industry film series. Titled "The motion picture industry presents itself, using the screen to give the public an accurate picture of exhibition, distribution and production," a brochure which was prepared for the project committee by the Motion Picture Association of America, reports: "This is something exhibitors have long asked for—a series of short films designed to tell the story of our industry on the screens of America, to give

(*Continued on page 6*)

Union Forum Here Early Next Year

While acknowledging that all obstacles confronting the ultimate formation of a forum of Eastern motion picture guilds, unions and crafts have not yet been eliminated, Gene Martel, president of the Eastern Screen Directors Guild here, and chairman of the proposed forum's agenda committee, declares here that it is practically certain that the forum will be operating as a clearing house for ideas and information in the early part of next year.

Thus far some 11 film union locals and craft units have been invited to participate in the forum's formation. Martell said others, including the Screen Office and Professional Employes Guild (CIO), soon will be invited to join in the planning work. Several IATSE (AFL) locals are among those already participating, one being the Motion Picture Home Office Employes Local No. H-63 which is locked in a jurisdictional struggle here with SOPEG. Martel said he believes such disputes might be prevented in the East in the future through open discussion of issues before the forum.

The agenda committee will hold its next meeting in two weeks, Martel reported, indicating that that conference will serve to eliminate many obstacles in the path of formation.

Will Advance Sopeg Mediation This Week

New York State Mediation Board chairman Arthur S. Meyer, who early last week conferred with representatives of Screen Office and Professional Employes Guild as a first step toward a possible settlement of the deadlock existing between the union and distributors, said that this week he will invite company representatives to confer with him.

Admissions Off Only 2½% This Year, Says U.S.

Income Dropped Sharply In October, However

WASHINGTON, Nov. 28.—Box-office business during the first nine months of this year was only about two and one-half per cent below 1947 business, figures released here by the U. S. Bureau of Internal Revenue indicate.

They also show that October collections, reflecting September business were sharply below October 1947 collections and also sharply below the three previous 1948 months. In other recent years, collections, which start

(*Continued on page 3*)

Argue Ascap Stay Today

Suggestion that many exhibitors would prefer continuance of separate payments to Ascap for music performance rights is expected to be made by the Society when argument on its application for a stay of Federal Judge Vincent Leibell's decision is heard today before Circuit Court Justice Learned Hand.

In its formal application for the interim order to make Judge Leibell's decision inoperative pending the outcome of appeals, Ascap reports that

(*Continued on page 6*)

Collections of Ascap Down to One-tenth

Ascap collected about $12,000 from theatres last month, representing one-tenth of revenue from the same source in Oct., 1947, when $120,000 was taken in, the Society discloses in its application for a stay of New York Federal Court Judge Vincent Leibell's decision against it.

Actually, $12,000 for last month appears a substantial amount in view of the fact that exhibitor organization leaders throughout the country previously had advised members to either cease payments or hold the money in escrow.

Action on New York State Building Code by Jan. 1

ALBANY, N. Y., Nov. 28.—Revised state building code for theatres and other places of public assembly, on which hearings were held in five cities in June, 1947, and an additional hearing was held in New York last summer, will be presented to the State Board of Standards and Appeals for action by Jan. 1. If approved, it cannot become effective until February or March because time must be allowed for printing and promulgation.

Revisions are applicable to the maintenance of theatre stages, projection booths, exits, etc., and to various facets of drive-in operations.

"There is no particular bugaboo holding up the code," said a board spokesman. "It's a big code covering an important field and has many details. We have had two men working on it for months," it was said.

Exhibitors and IATSE representatives served on the advisory committee which drafted the revisions of the present 25-year-old code.

Personal Mention

MALCOLM KINGSBERG, RKO Theatres president, was in Boston over the weekend, from here.

•

WALTER BROOKS, director of *Managers' Round Table* of *Motion Picture Herald,* left here over the weekend for New Orleans to attend the Allied States convention, stopping off at Cincinnati en route. He will be in Memphis on Thursday on his way back to New York.

•

HOWARD G. MINSKY, 20th Century-Fox assistant Eastern division sales manager, left here yesterday for Johns Hopkins Hospital in Baltimore to undergo surgery for injuries received while he was in the service.

•

CAROL NATALIE STARR, daughter of MR. and MRS. HERMAN STARR, has become engaged to ROBERT L. WALDEN. HERMAN STARR is a Warner vice-president and president of Music Publishers Holding Corp.

•

SID MESIBOV, Paramount exploitation manager, will address the national convention of Furniture Dealers in Detroit tomorrow on the "Mechanics and Cooperative Value of Motion Picture Tieups."

•

ROBERT L. LIPPERT, Screen Guild Productions president, is in San Francisco from Hollywood. F. A. BATEMAN, general sales manager, has arrived in Hollywood from Denver.

•

TED R. GAMBLE, Theatre Owners of America board chairman, was the guest of HAROLD E. STASSEN at the Army-Navy football game in Philadelphia on Saturday.

•

GEORGE JESSEL, 20th Century-Fox producer, and his daughter, visited PRESIDENT TRUMAN in Washington on Friday.

•

D. A. DORAN, Paramount studio production executive, returned to the Coast over the weekend from here.

•

H. A. SPANUTH of Film Studios, Chicago, has returned to that city from Louisville and Indianapolis.

•

B. G. KRANZE, Film Classics sales vice-president, left here by plane over the weekend for New Orleans.

•

P. ALBERT, producer, is due here Wednesday from Paris.

Lockwood Traveling

BOSTON, Nov. 28.—Theatre Owners of America president Arthur Lockwood has a heavy December traveling schedule. He will leave here Tuesday for New York from where he will leave for Dallas on Dec. 4 to attend the Robert J. O'Donnell dinner. He is due in Oklahoma City on Dec. 6 for the convention of the TOA unit there. Then he will proceed to Memphis, arriving Dec. 10 for the Tri-States exhibitor association meeting. He will be back in New York on Dec. 12.

National to Handle E-L Film Shipments

Physical handling of all Eagle-Lion product, including shipping, inspection and storage, has been taken over throughout the country by National Film Service, Inc., under a three-year contract, effective immediately, and which was signed on Friday by William J. Heineman, sales vice-president for the film company, and William J. Clark, executive vice-president of the carrier concern.

Clark, here from his Philadelphia headquarters at the weekend, said that this represents the first time that a national distributor with its own facilities has assigned the handling of all of its prints to an independent agency. NFS has been servicing Selznick Releasing Organization since its inception but that company does not have its own facilities. National has done work for E-L, Republic and Monogram but to a limited extent in a relatively few areas. It also has provided storage space to RKO Radio, likewise limitedly.

NFS and its affiliates will operate for E-L in the 31 exchange areas and the only change for E-L employes will be a switch to the NFS payroll, Clark said.

ICC Aide Backs Rise For Railway Express

WASHINGTON, Nov. 28.—An Interstate Commerce Commission examiner has recommended an increase of 1 per cent to 16 per cent in Railway Express charges in the East and South. This would increase charges anywhere from six cents to 99 cents a 100, depending on the distance, and would give the agency some $7,000,000 additional revenue a year. It would also bring rates East of the Mississippi into line with those West of the Mississippi.

Hilgers to Franconi; Heads Realart Sales

DALLAS, Nov. 28.—Clair E. Hilgers, formerly Eagle-Lion's Southern district manager, has joined John L. Franconi, Screen Guild and Realart franchise holder, as head of sales and management of Realart in Texas. Prior to his E-L association, Hilgers was for many years a 20th Century-Fox branch manager.

To Map USO Drive

Entertainment industry and trade press representatives have been invited to a luncheon-meeting at Toots Shor's Restaurant here on Thursday to plan the New York campaign on behalf of the United Service Organizations. James Sauter, chairman of the New York committee, will preside.

Herald Films Drive

Herald Pictures is observing its second anniversary with a cross-country sales drive in honor of Bert Goldberg, general sales manager. The company has three new all-Negro pictures in release and is preparing a fourth for production.

Jack Benny, 'Stiff' Shift to CBS Jan. 2

Jack Benny will shift to Columbia Broadcasting, from NBC, beginning with his broadcast of Jan. 2. Benny will be heard at the usual time, from seven to seven-thirty P. M., EST., under the same sponsorship of American Tobacco for Lucky Strike cigarettes. Also shifting to CBS under the deal is control of Benny's company, Amusement Enterprises, and its first picture, "The Lucky Stiff," slated for United Artists release.

20th-Fox Drops 13; SPG Maps Protest

Protest program was being mapped by the Screen Publicists Guild at the weekend following 20th Century-Fox's release of 13 home office employes on Friday. Attempts by SPG to reach Spyros P. Skouras, 20th Century-Fox president, for conferences were fruitless, according to a SPG spokesman.

Meanwhile an emergency meeting of the company's SPG unit was held Friday and it was decided to wire Charles Einfeld, who is to head the company's advertising and publicity department after Jan. 1, and Darryl F. Zanuck, production vice-president, protests over "the unwarranted firings."

Demonstrations in Times Square and at the home office are planned for the week. Also planned is a heightened campaign to reach the public on the contract difficulties and firings by Warner, United Artists and 20th Century-Fox. Increased picketing at the Roxy, Mayfair and Rivoli theatres here, where 20th Century-Fox pictures are playing, is also expected. SPG members released received the equivalent of two weeks' salary for each year employed as severance pay.

Among advertising, publicity and art department employes released were: Gene Schrott, Ruth Simon, Norma Lippincott, Ben Wertheim, Ann Swartz, Dorothy Holland, Tom Brennan, Paul Gross, George Butler and William Robins.

$228-Million Worth of Video Sets Bought

WASHINGTON, Nov. 28.—The public had invested over $228,000,000 in television receivers, being produced at the rate of 65,000 a month by more than 50 competing manufacturers, it was said at the Federal Communications Commission.

Shupert Names Weed

George T. Shupert, director of commercial operations of Paramount's television division, has appointed Weed and Co. as advertising-sales representative of Paramount's TV stations WBKB, Chicago, and KTLA, Los Angeles, with the agency to handle the acount in all cities except New York and each station's own trading area.

Newsreel Parade

A UN session and the world's sma est plane are current newsr highlights. Other items include t speeding up of the Berlin airlift a football highlights of the year. Co plete contents follow:

MOVIETONE NEWS, No. 95—U votes down Red proposal to cut armament Some 802 "DP's" land at Boston. On minute camera. World's smallest Milkman in Illinois inherits fortune ball highlights of 1948.

NEWS OF THE DAY, No. 225—Berl airlift speeded for winter ordeal. Palestin underground hero welcomed to U. S World's smallest plane. Tropical ice mirag proves to be salt. Football stars of 1948.

PARAMOUNT NEWS, No. 28—Avia tion's mighty mite: tiny plane in debu Puerto Rico's amazing salt harvest. 194 touchdown review.

UNIVERSAL NEWSREEL, No. 199— World's smallest plane. South Africa beauty queen arrives here. Wrist-watc camera. Puerto Rico salt story. Sonj Henie: stars on ice. Wrestling.

WARNER PATHE NEWS, No. 30— Latest in cameras. People in the news Red flyers, Levi Jackson, Santa Claus Tropical ice harvest. World's smalles plane. Football. Great events: Washing ton becomes the Capital.

Max Cohen Named Eastern Sales Head

B. G. Kranze, sales chief for Film Classics, has appointed Max Cohen, former FC Washington branch head, as Eastern sales manager.

Cohen began with Warner Brothers as a salesman in New York. After service during World War I, he joined Fox as a salesman and later affiliated with Universal where he served as sales manager in the New York branch and branch manager in Pittsburgh, Cleveland, Albany and Washington. He joined Film Classics as Washington manager last February.

Aaron's M-G-M Duties Assigned to Others

Because of the nature of Edwin W. Aaron's position at M-G-M, no successor to the recently-resigned assistant sales manager will be named, it was disclosed here by William F. Rodgers, sales vice-president. Rodgers said that Aaron had a wide variety of duties including many which ordinarily would have been the responsibility of the company's five division managers and their respective home office representatives. He said the division chiefs now have absorbed these assignments along with "a little more work," thus eliminating the necessity of a replacement for Aaron.

Aaron, who has yet to make known his plans, concerned himself to large extent with circuit sales. It is understood his resignation also resulted in added duties for Henderson Richey, exhibitor relations chief, and Edward Saunders, also assistant sales manager.

The five division sales heads are: Burtus Bishop, Jr., Midwestern; James P. Byrnes, Eastern; J. J. Maloney, Central; Rudy Berger, Southern, and G. A. Hickey, Western.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London Wi. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

Phila. Tops Ticket Taxes: $4,443,000

WASHINGTON, Nov. 28.—Philadelphia took in $4,433,000 in local amusement taxes in 1947, the most any city collected from this source, the Census Bureau has reported.

It showed that in six of the 37 largest cities, amusement taxes accounted for a sizable amount of revenue. The taxes are on sports events, legitimate theatres, and other public amusement as well as motion picture theatres, but census officials say that film theatres "certainly account for the bulk."

Seattle took in $565,000 from admission taxes, Cleveland $115,000, New Orleans $479,000, Cincinnati $52,000, and Columbus $29,000.

United International Setting Up Exchanges

HOLLYWOOD, Nov. 28.—United International, independent production-distribution organization, soon will establish exchanges in a number of key cities. Lester S. Tobias, newly-appointed distribution manager, will arrive in New York Dec. 1 to set up machinery for exchange operations.

RKO Sues on 16mm.

RKO Radio has filed a $5,000 damage action in U. S. District Court here against Century Indemnity Co., and 16mm. exhibitor Joseph Mirasola. Charge is that Mirasola breached bond by showing RKO releases at places and at times for which he was not licensed by the company.

25-Cent FP-C Dividend

OTTAWA, Nov. 28.—Famous Players Canadian Corp., Ltd., has declared a 25-cent dividend, payable on Dec. 24 to shareholders of record on Dec. 10.

TUESDAY, DEC. 14
HOTEL ASTOR
Federation of
Jewish Philanthropies
TESTIMONIAL
LUNCHEON
MAYOR
WILLIAM O'DWYER
Guest of Honor
•
Tickets now on sale!
Room 168
HOTEL ASTOR
Circle 6-6460

From Newark—MIAMI $50
FLY OVERNITE TO Coast to Coast
COAST TO COAST $88 PLUS TAX
SKYCRUISES, INC. DC-4 • 12 HOURS
Air Travel Agency
HOTEL DIPLOMAT 108 W. 43rd St. New York City BRyant 9-3707
HOTEL BRISTOL 423 W. 8th St. Los Angeles Trinity 8662

Admissions Off 2½%

(*Continued from page* 1)

upwards in Spring, continue to rise through October.

General admission tax collections for February through October, reflecting business for January through September, totaled $282,229,000 this year, compared with $289,218,000 for the same 1947 period. This is a drop of roughly $7,000,000, slightly above 2.4 per cent.

80% of Taxes from Films

The general admission tax collections include collections from legitimate theatres, sports events, and other entertainment as well as motion picture theatres, but do not include cabaret and roof garden taxes or taxes on various overcharges. Collections from motion picture theatres are said to usually account for 80 to 85 per cent of the total general admission tax collections. Bureau officials said there was no way of telling whether motion picture admissions had dropped more or less than the total.

Even if collections are only off 2.4 per cent, costs have continued to rise during this period, so that profits may be off more than the admission tax collections indicate.

Increases for Three Months

In only three months this year—February, May, and July—was business better than last year, the collection figures indicate. The increase in these three months, however, was great enough to offset much of the drop in the other six months for which figures are available.

October general admission tax collections, reflecting September business, totaled $32,136,111, compared with $37,743,023 last October. It is the lowest 1948 figure since June. July collections were $33,054,712, August collections were $34,141,294, and September's were $35,933,211.

Total admission tax collections, including general admissions, cabaret taxes, and taxes on overcharges and leases, were $36,456,036 in October, against $43,058,427 last October.

Jerrold Krimsky, 39

Jerrold Krimsky, 39, New York theatrical producer who was associated with his brother, John Krimsky, in the production of several pictures, died last Wednesday in Veterans Hospital in Roanoke, Va., according to press dispatches reaching here at the weekend. A captain with a combat film unit of the Army Air Forces during the war, Krimsky also made several films in Yugoslavia and France. In addition to his brother, he leaves his parents, Dr. and Mrs. Joseph Krimsky of Charlottesville, Va.

Joseph Tanguay, 67

OTTAWA, Nov. 28.—Joseph Tanguay, 67, pioneer exhibitor here and inspector of the provincial governments' censor board, died in Montreal Wednesday. He managed theatres in Quebec and Montreal. Surviving are the widow and two daughters, Mrs. J. Spranken and Miss Marguerite Tanguay.

Rank Studio Closing

(*Continued from page* 1)

but this appears to be a purely rhetorical claim in view of the number of studios which are unoccupied now.

The Islington closing will undoubtedly come in for considerable heated discussion at Monday's meeting of Harold Wilson's National Film Production Council.

Fr. Flanagan Statue Unveiled by Variety

OMAHA, Nov. 28.—Dedication ceremonies were held at Boys Town today for the unveiling of the statue and plaque presented by Variety Clubs International in the memory of the late Father Flanagan, first recipient of the club's "Humanitarian Award," in 1938.

William McCraw, executive director of the clubs, presided and the presentation was made by Robert J. O'Donnell, Variety International chief.

A dinner was held this evening at the Fontenelle Hotel, with Edward Shafton, the club's chairman of the arrangements, presiding.

Others attending the ceremonies were: Chick Lewis, A. H. Blank and Ralph Branton, and a delegation of 20 barkers from the Dallas tent, plus representatives from other tents around the country.

Set 28 Simultaneous U.S. Runs of 'Hamlet'

Laurence Olivier's "Hamlet," the J. Arthur Rank film being released here by Universal-International is currently playing 13 engagements in the U. S. simultaneously and has been booked to open in 15 additional cities before the end of January, U-I reports here.

The 15 additional openings are set for the Adams Theatre, San Diego, Dec. 8; Dixie, Oakland; Teck, Buffalo; Guild, Portland, Ore., all on Dec. 24; Colonial, Albany, Dec. 25; Golden Bough Playhouse, Carmel, Cal., Jan. 1; Palace, Toledo, Jan. 12; Studio, Salt Lake and Lyric, Bridgeport, Jan. 13; Alhambra, Milwaukee, Jan. 17; Palace, Hartford, Jan. 20; Keith, Indianapolis, Jan. 26; Elm, Worcester, Jan. 27; Vista, Phoenix, between Jan. 9 and 15; Kern, Bakersfield, Cal., between Jan. 10 and 20; and the Century, Minneapolis.

Allied Meet

(*Continued from page* 1)

their annual meeting today and Saturday.

An unusually large number of distribution executives have registered, prompted in a measure by the combined interest of all parties in many of the subjects to be discussed. The agenda will pretty much cover that which the board members discussed, including a potential nationwide Allied attack on forced percentage playing, a drive for the establishment of special regional anti-trust courts, the Finneran Plan for disciplining errant stars, an amendment to the Robinson-Patman Act to make it apply to motion pictures, repeal of the 20 per cent Federal ticket tax, or at least its reduction to 10 per cent, a thorough airing of film rental problems in general, the threatening challenge of television to theatres, as well as a possible appeal to film companies to withhold regular entertainment films from telecasts in competition with theatres.

George Murphy and Gene Autry will appear at various social functions during the convention.

Lachman, Dollinger to N.O.

Edward Lachman, president, and Irving Dollinger, board chairman, of Allied Theatre Owners of New Jersey, have left here with their wives, to attend the national Allied convention in New Orleans today.

New Directors for Variety Tent No. 26

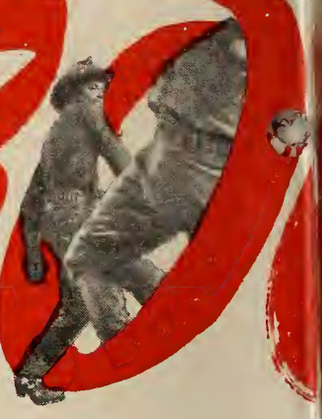
CHICAGO, Nov. 28.—The following have been named directors of the Variety Club, Tent No. 26, at the annual election: John Balaban, J. Harold Stevens, Nat Nathanson, Harry Lustgarten, Manual Smerling, Ralph Smitha, Irving Mandel, Tom Gilliam, James Booth, Henri Elman and Van A. Nomikos. Mandel and Elmany were chosen as delegates to the national convention. Officers for 1949 will be announced next month.



REPUBLIC'S

ROY RO





AGAIN NO. 1 KING OF
IN THE BOXOFFICE BA

All Rogers Pictures are made in

TRUCO

ON

Big Roy Rogers Hits Now In Release

UNDER CALIFORNIA STARS • EYES OF TEXAS

NIGHTTIME IN NEVADA • GRAND CANYON TRAIL



SERS

IE COWBOYS
OMETER POLL!

ensational

OR

SAFETY FILM

This Big One's Coming

THE FAR FRONTIER

Bromberg Dismissed From Anti-trust Suit

ATLANTA, Nov. 28.—Arthur C. Bromberg, president of Monogram Southern Exchanges, discloses here that his company has been dismissed as a defendant in the anti-trust case of Alma Amusement Co. of Alma, Ga., against L. A. Stein, *et al.*, pending in the Waycross division of Federal Court.

In addition to Stein, a number of distributor defendants were named. The case is set for trial on Dec. 16.

Holt Switches to U-I

PORTLAND, Ore., Nov. 28.—Archie Holt, Paramount salesman in the Oregon territory for several years, has resigned to take over in the same capacity here for Universal-International.



UNITED

Flight Facts

One of my passengers called it "the greatest man-made spectacle in the world."

He meant the lights of Los Angeles, seen from United's great DC-6 Mainliner 300, "the Hollywood," a few minutes before our landing at 8:45 P.M. (Imagine! We'd left New York only 11¾ hours earlier!) Millions of neon signs, traffic signals, and other lights as far as the eye can see. From the air they look like a vast expanse of sapphires, rubies, emeralds and other jewels—or a forest of gaily decorated Christmas trees.

During the daylight hours of the flights (we leave New York at 12 noon), there are many other scenic wonders, including the Grand Canyon—and you have a fine view.

Deep, soft seats, delicious meals, luxury services, stroll-about spaciousness, and pressurized-cabin comfort are other things that make travel on "the Hollywood" so different and so enjoyable.

J. G. Gillian

United Air Lines Pilot on

"the Hollywood"

Review

"Cesar"

(Siritzky International)

"CESAR" is the last picture of the trilogy written, directed and produced by Marcel Pagnol. The French master has lost none of his deft touch in relating a story of ordinary people with simplicity and eloquence. He might, however, have edited the film considerably since much of its effectiveness is lost through over-lengthiness. The dialogue is in French, with English subtitles describing the action.

Raimu gives the superb performance which has come to be expected of him in the serio-comic title role, and the acting of Pierre Fresnay and Orane Demazis has honesty and conviction. Much of the film's charm stems from the comic relief which the cast handles with proper lightness.

The story concerns the search of Fanny's son for his father after he learns that the man whom he has called father is no relation at all. The outcome, a happy reunion of father, mother and son, is too pat and the more serious situations are melodramatically presented, but the film attains an overall effect of warmth and realism.

Running time, 120 minutes. Adult audience classification. Current release.

Industry Sales Talk

(*Continued from page* 1)

the theatre-going public a first-hand knowledge of our business.

Continuing, the statement says: "The films are tagged 'all-industry' shorts with reason, for the pictures are made *about* the industry *by* the industry. That means full exhibitor participation and consultation . . .

Sobering Facts on 'Glamor'

"The time has been overripe to show that motion pictures aren't produced, distributed, and exhibited by legerdemain. It's time to do a lasting job of telling our patrons that behind the glitter and glamor which are natural trimming for all segments of the entertainment world, our industry is a hard-at-work, sober-minded business.

"Fanciful writers on the fringe of the industry have long given the impression that an actor, for instance, lives in a whirl of carefree gaiety. They seldom mention that the actor gets on the set at 7:30 A.M., and is apt to be still there 12 hours later.

"And the theatre manager! What a delightful life he leads, so many people think. Imagine! What fun to see all the new pictures first and get paid for doing it. And he can sleep late, too!"

Distribution Group Meets

National Distributors Committee, of which RKO Radio sales chief Robert Mochrie is chairman, discussed releasing plans for the industry shorts at the second of a series of meetings here on Friday.

The project committee, of which Y. Frank Freeman is chairman and Grant Leenhouts, is coordinator, includes a production and an exhibition advisory committee. The membership of these working committees follows:

Production advisory committee: Warner Anderson, Leon Ames, I. E. Chadwick, Delmer Daves, F. Hugh Herbert, Margaret Herrick, Jean Hersholt, Gordon Hollingshead, Gunther R. Lessing, Mary McCall, N. Peter Rathvon, King Vidor, Jack L. Warner, Billy Wilder.

Exhibition advisory committee: Ray Branch, Hugh W. Bruen, Oscar Doob, Rotus Harvey, Trueman T. Rembusch, Thornton W. Sargent, Homer F. Strowig, Sam J. Switow, R. B. Wilby, Mitchell Wolfson.

New Drive-in Units

CAMDEN, N. J., Nov. 28.—A new line of drive-in theatre sound systems, with an output range of 70 to 1,000 watts, has been announced by J. F. O'Brien, sales manager of the RCA theatre equipment section.

Para. Decree Talks

(*Continued from page* 1)

"consents of some sort" were discussed, details were withheld.

The delegation to Washington included Edwin L. Weisl, attorney and corporate director who long has been active in the case; Leonard Goldenson, vice-president in charge of theatres; Robert H. O'Brien, corporate secretary, and Walter Gross, theatre department attorney.

A conference in president Barney Balaban's office with Austin Keough, vice-president and general counsel, participating, followed the Washington meeting.

Friday's session is believed to be the first formal one involving Paramount and the government since late in October when Goldenson took up the case with Justice Department officials in Washington. At that time it was said that Goldenson concerned himself only with those matters which would be peculiar to Paramount in the event a single settlement could be reached by all theatre-owning distributors in the case.

Detroit Facing Tax

DETROIT, Nov. 28.—Edward P. Riehl, deputy city controller, has presented a plan to the city tax study committee, for an excise tax on theatres and other amusements as an alternative to his first recommendation of a local sales or income tax, in order to relieve the tax burden on real estate.

Argue Ascap Stay

(*Continued from page* 1)

its new rates were adjusted in negotiations with between 12,000 to 13,000 exhibitors, and that many theatremen are completely in the dark on the entire matter of music clearance right at the present time.

The application will be opposed by counsel for the plaintiffs, all members of the Independent Theatre Owners Association, New York, on the ground that a stay would add to the confusion. The Ascap-proposed stay will not apply to the plaintiffs.

Ascap charges that Judge Leibell's judgment is unnecessarily "all inclusive" in that it restrains the Society from collecting fees from parties other than the immediate plaintiffs, this, of course, including all exhibitors as well as television interests, juke-box and home-movies concerns. It is also alleged that Judge Leibell did not take full cognizance of the consent decree which Ascap and the government entered into in 1941.

Also today, the plaintiffs will file notice of appeal from that part of the judgment which denies their application for all monies paid to Ascap by them since inception of the action. Ascap filed its notice of appeal early last week.

U. S. Subpoenas 43

(*Continued from page* 1)

to review testimony in the nine-year-old monopoly suit at great length.

Judge Vaught was ordered by the U. S. Supreme Court, which reversed his acquittal of the circuits and their owners, to review the testimony and submit suggestions on what should be done to right the wrongs which the high court said were committed.

George W. Wise, special Asssistant Attorney General, and Milton Kallis, who assisted Robert Wright in the Griffith trial here in 1945, are here for the hearing. Wise refused to discuss the reasons for calling the witnesses, most of whom appeared during the 1945 trial, but indicated that divestiture is the ultimate goal of the Justice Department in the case.

Promoted by Ansco

BINGHAMTON, N. Y., Nov. 28.—Harold E. Pletcher, manager of Ansco's film plant since 1946, has been named production manager by Allan Williford, Ansco general manager.

COMING TO YOU SOON!

SOMETHING NEW IN SHOWMANSHIP

IT WILL BRING THEM IN—AND SEND THEM OUT RAVING!

1—A 2½ HOUR CIRCUS SHOW

2—FULL FEATURE COMEDY STAGE SHOWS

NEW! UNIQUE!

A Different Type of Entertainment

THIS WILL COME TO YOU FROM

SCREENCRAFT PICTURES, INC.

341 WEST 44TH STREET, NEW YORK CITY

FILE COPY
DO NOT REMOVE

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64. NO. 104 NEW YORK, U.S.A., TUESDAY, NOVEMBER 30, 1948 TEN CENTS

House Group Considering Divestiture

May Suggest It to Get Tighter Trust Laws

WASHINGTON, Nov. 29. — Divorcement of production-distribution from exhibition and special anti-trust courts to expedite film anti-trust cases are two major suggestions for tightening the anti-trust laws now being mulled by members and the staff of the House Small Business Committee.

The committee, which recently concluded hearings on monopoly problems, is now working on its report for presentation to the next Congress. It is expected to recommend several steps for stricter anti-trust enforcement, and these two may be among the final recommendations.

In the hearings here and in the field, the committee heard many witnesses urge divorcement in the film,

(*Continued on page 6*)

U. S. Cool to Para. Decree

Department of Justice has under study proposals by Paramount for a consent decree in the industry anti-trust case and is expected to make known its decision when representatives of the film company meet with government attorneys in Washington this week.

While details of the plan offered were withheld, it has been disclosed here that the government was not

(*Continued on page 6*)

Arizona Exhibitor Files Trust Action

LOS ANGELES, Nov. 29.—Anti-trust suit for treble damages totaling $144,900 was filed in U. S. District Court in Phoenix, Ariz., by Los Angeles attorney Fred A. Weller on behalf of the Times Theatre in Mesa, Ariz., owned by Wayne Phelps.

Charged with conspiracy to delay films for the plaintiffs after first run are the major distributors and the Paramount-Harry Nace circuit of Arizona.

NY Ascap Rule Is Stayed by Circuit Court

New York Federal Court's decree which enjoins Ascap from collecting music license fees from theatres has become inoperative during the pending appeals as the result of an agreement reached here yesterday between counsel for the Society and New York exhibitor plaintiffs in the action on a conditional stay order.

The order specifically directs that until the case is determined by the Court of Appeals here, Ascap or its members cannot sue the plaintiffs for not paying public performance rights to Ascap for music in films, and cannot sue producers or distributor of films licensed to the

(*Continued on page 6*)

MPAA International Post to McCarthy

Eric Johnston, president, has appointed John G. McCarthy managing director of the international division of the Motion Picture Association of America. He will succeed Gerald M. Mayer, who leaves New York on Thursday to assume the post of Continental manager for the MPAA, with headquarters in Paris. Mayer, in

(*Continued on page 3*)

Double First - Run For 'Joan' in N. Y.

"Joan of Arc" will be exhibited in two Times Square area first-run theatres simultaneously for an indefinite period beginning Dec 14. Now playing at the 1,049-seat Victoria, where it is in its third week, "Joan" will also tenant the 750-seat nearby Fulton Theatre to accommodate the overflow bids for reserved seats now being received at the Victoria.

Picture will have two showings daily at the Fulton, with four showings slated for Saturdays and three for Sundays, at a $2.40 top.

Holiday Spurs N.Y. Business; 'Joan' Grossing $59,000

Spirited Thanksgiving holiday business stretching over a four-day weekend is giving New York's Times Square first-run area a singularly prosperous current week, with attendance records being shattered in at least two houses. On the Thursday holiday and the following day (also a school holiday), long lines were in evidence in front of a number of Broadway houses.

A smash third week is in store for "Joan of Arc" at the Victoria where

(*Continued on page 3*)

Seek Another $2,000,000 For U. S. Int'l Film Unit

WASHINGTON, Nov. 29.—The U. S. State Department has asked for an appropriation for its overseas information program for the year ending June 30, 1950, that will keep the international motion picture division operating at the same high level as during the current year.

Government departments have submitted their requests for 1949 to the Budget Bureau for inclusion in the President's new budget. The bureau can cut them or—as done very rarely—increase them.

Last year, Congress cut the overseas information program, but this year gave it some $28,000,000 to operate through June 30, 1949. Of the total, $2,000,000 was given to the film division here for the purchase or production of films, dubbing foreign lan-

(*Continued on page 3*)

U.A. Board Approves Four Release Deals

United Artists board of directors yesterday approved distribution deals for two new films and two reissues at a meeting which also considered the company's fiscal operations.

Under the pacts approved, UA will release "Another World," which is to be produced in England by Anatole de Grunwald; "Criminals," to be made in Hollywood by Samuel Goldwyn, Jr., in collaboration with Martin Mooney, and Lester Cowan's "Story of G.I. Joe" and James Cagney's "Blood on the Moon," the latter two as reissues for the domestic market. The Goldwyn picture will precede his "Diplomatic Passport," which UA also will distribute under a previous agreement.

Allied Adopts Discipline Plan for Stars

Percentage Films Scored As 3-Day Meet Opens

By RED KANN

NEW ORLEANS, Nov. 29.—Allied States Association applauded and approved the Finneran Plan for disciplining stars "who gain notoriety through misconduct" and agreed to draft a strong resolution against compulsory percentage at the close of the first session of its 15th annual convention at the Hotel Roosevelt today.

Conceived by Joseph P. Finneran, exhibitor of Franklin, Ind., the plan would institute sanctions against errant performers by changes in the Production Code and seek to incorporate in all future talent contracts provisions implementing such sanctions.

In the words of Abram F. Myers, Allied's general counsel, the conven-

(*Continued on page 7*)

Para.-Wallis Deal for 12

Paramount will distribute 12 films from Hal Wallis Productions, Inc., under a new deal now being finalized. Negotiations have been concluded and signatures are to be affixed here this week.

Pact was negotiated by Joseph Hazen, president of the Wallis company, and Y. Frank Freeman, Paramount vice-president, who is here from the Coast.

The old agreement for the distribution of 12 will terminate with Paramount's release of Wallis' "The Accused."

Start the Release of PR Films in March

Following a series of meetings the National Distribution Committee announced here yesterday through the Motion Picture Association of America that the all-industry film series, a non-profit project, will be released to theatres at the rate of one every two months, starting next March 1.

Each company will sell and distribute the pictures made at its studio, according to the committee, which is

(*Continued on page 6*)

Personal Mention

JAMES R. GRAINGER, Republic sales vice-president, accompanied by division manager WALTER L. TITUS, JR., left here yesterday for Dallas.

•

STANTON GRIFFIS, chairman of the Paramount executive committee and U. S. Ambassador to Egypt, visited PRESIDENT TRUMAN yesterday at the White House.

•

BERT GOLDBERG, Herald Pictures' general sales manager, left here yesterday by plane for Miami to begin a Southern sales tour.

•

ARTHUR GREENBLATT, Screen Guild Productions Eastern sales representative, is due in Atlanta on Saturday from New York.

•

EDWARD L. HYMAN, vice-president of Paramount Theatres Service Corp., has left New York for a trip up-state. He will return late this week.

•

EDWARD L. WALTON, Republic assistant general sales manager, left New York yesterday for St. Louis.

•

MORGAN HUDGINS of M-G-M's studio publicity department is en route to England by plane from the Coast.

•

RUDY BERGER, M-G-M Southern sales manager, is in New Orleans from Washington.

•

AL LICHTMAN, former M-G-M studio executive, and his wife left the Coast yesterday for New York.

•

RICHARD HARPER of M-G-M's home office sales staff is due back here today from Flint, Mich.

•

HARRY WARREN, whose music company is affiliated with M-G-M, has returned to New York from the Coast.

•

ISADOR M. RAPPAPORT, owner of the Hippodrome and Town theatres, Baltimore, is in New York.

Samuel Goldwyn Wins Citation from UJA

HOLLYWOOD, Nov. 29.—Samuel Goldwyn has been named "Humanitarian of the Year" by the United Jewish Appeal, it was announced here yesterday by Henry Morgenthau, Jr., general chairman of the UJA.

Goldwyn, who is president of the United Jewish Welfare Fund of Los Angeles, which raised $10,000,000 in this year's drive, will be given the citation at a dinner in his honor, which will be held here tomorrow night.

Eyssell Heads Films' Brotherhood Drive

Gus Eyssell, managing director of Radio City Music Hall, has been named chairman of the exhibitors' division of the local New York committee for "Brotherhood Week." Mayor O'Dwyer is chairman of the Metropolitan program.

Britishers Arrive In Paris for Talks

Paris, Nov. 26 (By Airmail). —Commodore West of the Rank Organization; Sir David Cunnynghame of British Lion and Major R. P. Baker of Ealing Studios, acting for the British Film Producers' Association, are here from London to attempt to obtain more screen time for British film imports, under France's import restrictions which permits a highly limited number of U. K. productions to be brought into this country.

London Crowds Hail Royal Performance

LONDON, Nov. 29.—A thick London fog and overzealous police failed to daunt the enthusiasm of street crowds and the audience for the Royal Command Performance at the Empire Theatre here tonight. The huge turnout was a tribute both to the Royal Family and the American stars who participated, particularly Myrna Loy and Alan Ladd.

The Queen's entrance, accompanied by Princess Margaret and the Duke of Edinburgh, was the signal for a prolonged demonstration by the throngs, aware of her anxiety for the ailing King.

J. Arthur Rank's film, "Scott of the Antarctic," was an obvious choice for the Royal Performance, depicting as it does the 25-year old epic of lonely British valor. Sitting unobtrusively in the audience were relatives of the original heroes of the story which for Britons is an unforgettable epic.

Opera Night Video At Para. Theatre

Opening night scenes at the Metropolitan Opera House here last night were televised and shown by Paramount's 50-second film process to the paying audience in the Paramount Theatre in Times Square, a few blocks distant. The telecast to the theatre did not include the performance of "Otello," with which the "Met" opened its 64th season. The complete performance of the Verdi opera, however, was carried in New York by WJZ-TV, and television stations in Boston, Philadelphia, Baltimore and Washington.

Special infra-red lighting was used in the Metropolitan's auditorium for televising the off-stage opening night scenes which were shown in the Paramount Theatre.

Wilson Before Commons

LONDON, Nov. 29.—Following a meeting here today of the National Film Council, presided over by British Board of Trade president Harold Wilson, it was indicated that the latter will appear on Thursday at a House of Commons debate on the Film Finance Corp. bill which would authorize independent production financial aid.

Horan Named W. B. District Manager

Ben Kalmenson, Warner sales vice-president, has promoted George W. Horan, Boston branch manager, to the post of New England district manager, with headquarters in Boston. Horan succeeds F. D. (Dinty) Moore, who recently resigned.

Horan joined Warner as a salesman in Boston 19 years ago, and was promoted to branch manager in 1941.

Al Daytz, of Affiliated Theatres in Boston, will succeed Horan as branch manager. Before joining Affiliated a few months ago, Daytz was local sales manager in Boston under Horan. Both changes will take effect Dec. 20.

Kalmenson and Jules Lapidus, Warner's Eastern sales manager, were in Boston yesterday from New York.

Davis to Classics as Washington Chief

B. G. Kranze, Film Classics sales chief, has appointed Walter Earl Davis branch manager of the company's Washington office, effective immediately.

Davis started in the industry with Sydney Lust's Super Film Attractions in Washington and subsequently went with Jules Levy who, at the time, was manager for Inter-State Film Attractions, which later became Universal. With Universal he served until this month, resigning for the new FC appointment.

Meet to Determine Television's Future

WASHINGTON, Nov. 29.—First of a series of conferences which will in large measure determine the future of television gets under way here tomorrow.

The conference, between top Federal Communications Commission officials and industry representatives, will last through Thursday. This one will be a highly technical meeting on problems arising from tropospheric interference with video transmission and reception. Later conferences will go into other television problems.

Fred Wallace Services

PITTSBURGH, Nov. 29. — Funeral services will be held here on Wednesday for Fred Gale Wallace, 66, former Hollywood and Broadway press agent, who died yesterday in the Presbyterian Hospital here. His widow, two brothers, and two sisters survive.

Mrs. Margaret Quinn, 72

Funeral services were held at Woodside, L. I., last Friday for Mrs. Margaret Quinn, 72, mother of William J. Quinn, general manager of Raybond Theatres here. Mrs. Quinn died on Nov. 21.

Charles D. Brown, 60

HOLLYWOOD, Nov. 29.—Charles D. Brown, 60, screen and stage actor, who came here in 1928, died last Thursday of a heart ailment. The widow, Mrs. Nellie Tallman Brown, survives.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
"HILLS OF HOME"
EDMUND GWENN • DONALD CRISP
TOM DRAKE • JANET LEIGH
and LASSIE
Color by TECHNICOLOR
A Metro-Goldwyn-Mayer Picture
SPECTACULAR STAGE PRESENTATION

JOAN OF ARC starring INGRID BERGMAN
VICTORIA B'WAY at 46th ST
COLOR BY TECHNICOLOR
CAST OF THOUSANDS

DARRYL F. ZANUCK presents
OLIVIA de HAVILLAND
the Snake Pit
Directed by ANATOLE LITVAK • Produced by ANATOLE LITVAK & ROBERT BASSLER
20th CENTURY FOX
RIVOLI B'way & 49th Street

Paramount presents
JOHN LUND • WANDA HENDRIX
BARRY FITZGERALD • MONTY WOOLLEY
in 'Miss Tatlock's Millions'
in Person STAN KENTON And His Orchestra featuring JUNE CHRISTY and RED BUTTONS
RAUL & EVA REYES
and NELLIE LUTCHER
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

SAMUEL GOLDWYN presents
DANNY KAYE
VIRGINIA MAYO
"A SONG IS BORN"
COLOR BY TECHNICOLOR
Broadway at 45th Street ASTOR Cont. from 8:45 AM Midnight Show

J. Arthur Rank presents
"THE RED SHOES"
Color by Technicolor
BIJOU THEATER, 45th Street West of Broadway
All Seats Reserved, Mail Orders
Twice Daily
Extra Matinees Saturday and Sunday
Late Show Saturday Evening 11:30
An EAGLE LION FILM Release

Robert Mitchum
Barbara Bel Geddes
Robert Preston
in
BLOOD ON THE MOON
BRANDT'S GLOBE
BROADWAY AT 46TH STREET

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

New York Grosses

(*Continued from page* 1)

close to $59,000—about equal to the first week gross—is indicated. Picketing of the 1,049-seat house by members of the Screen Publicists and Screen Office and Professional Employes guilds (CIO) did not resume after the Victoria management filed for a court injunction to halt the activity, which was rooted in a labor dispute between the unions and RKO Radio, distributor of "Joan."

Another site of robust business this week is the Roxy where "When My Baby Smiles at Me," plus a stage bill headed by Mickey Rooney, established a new all-time Thanksgiving holiday weekend attendance record, with an eight-day first week due to roll up a mammoth $150,000.

$51,000 for 'Snake Pit'

At the Rivoli, "The Snake Pit" is zooming toward $51,000 for a fourth week, after a $49,000 third week; picture will continue indefinitely at the house. First week of "Miss Tatlock's Millions," together with Stan Kenton's band on stage, is heading for a rousing $92,000 at the Paramount where Thanksgiving Day gross records reportedly were broken.

First week of "Hills of Home" and a stage presentation at Radio City Music Hall looks like a reasonably good $128,000 on the basis of $91,000 taken in Thursday through Sunday. Both "Hamlet" at the Park Avenue, and "Red Shoes" at the Bijou bettered their previous capacity weeks by virtue of two extra matinees during the holiday weekend. Each will gross $18,000 this week.

"The Kissing Bandit," plus Shep Fields' band on stage, at the Capitol, is doing okay with $68,000 expected for the second week; first stanza brought in $74,027. At Loew's State, meanwhile, "The Three Musketeers" is skyrocketing in its sixth week due to the holiday spurt, with $48,000 expected, or about $10,000 above the previous week.

$45,000 Seen for 'Squadron'

About $45,000 is indicated for the second week of "Fighter Squadron," plus Frankie Carle on stage at the Strand, on the basis of $23,000 grossed Friday through Sunday; figures are unimpressive in light of the holiday opportunity. Equally unimpressive is "A Southern Yankee" in its first week at the Criterion where a relatively mild $20,000 is seen; "Live Today for Tomorrow" will take over Dec. 4. "A Song Is Born" is limping along at the Astor, with only $18,000 looked for in a sixth week; "Enchantment" will take over on Dec. 22. Third week of "Blood on the Moon" at the Globe is good, with $21,500 in view; "Northwest Stampede" is scheduled to open there on Dec. 11.

The Gotham is enjoying pretty good business with a reissue double-bill of "Captains Courageous" and "San Francisco"; second week is expected to bring in $10,000. "Road House" is fair in its fourth week at the Mayfair, with $25,500 expected. Second week of "Blanche Fury" at the Sutton looks like $10,000, following an $11,500 first stanza.

Detroit Video Expanding

DETROIT, Nov. 29.—Network television in Detroit by WWJ-TV as the first step toward Coast-to-Coast operations, is expected to be linked to the Eastern network early next year.

Review

"The Decision of Christopher Blake"

(*Warner Brothers*) *Hollywood, Nov. 29*

REALISM and fantasy are uniquely linked in the presentation of this story of divorce, produced and written for the screen by Ronald MacDougall, from stageplay by Moss Hart. The effect of this linking is to switch the audience mood from deep seriousness to semi-humor in a manner likely to engender varied results, although the seriousness predominates and is potent enough to have evoked tearful response from the feminine side of a preview audience. Alexis Smith's and Ted Donaldson's are the names for the marquee, and the likeliest angle for stressing in ad copy is that divorce is an unsatisfactory thing and especially hard on divorced people's children. Direction by Peter Godfrey is at its best in the sequences emphasizing that point.

Miss Smith and Robert Douglas, the latter a British import making his American film debut, portray the parents of Donaldson, the title character. At 13 he is cruelly shocked to learn that his parents are going to be divorced, and seeks escape from this mental distress by way of boyish fantasies, which are depicted effectively on the screen. Cecil Kellaway plays the judge before whom the divorce case finally comes to trial, and when he learns that only pride stands in the way of a parental reconciliation he makes a pact with the son, who must decide which parent he wishes to go with. Under the pact, the boy tells the father he wants to go with his mother, and tells the mother he wants to go with the father. The result of this artifice is that the parents reconcile and the boy is made happy again. Other players are John Hoyt, Harry Davenport, Mary Wickes, Art Baker, Lois Maxwell, Douglas Kennedy and Bert Hanlon.

Running time, 74 min. General audience classification. Release date, not set.

WILLIAM R. WEAVER

McCarthy Post

(*Continued from page* 1)

turn, will succeed Frank McCarthy, who will become a 20th Century-Fox studio executive in Hollywood.

Leaving the MPAA Paris department with Frank McCarthy will be Rupert Allan, his assistant, who will be replaced by Eugene Van Dee, former Motion Picture Export Association representative in Poland. At present in London, Van Dee is expected in Paris this week. McCarthy and Allan will leave Paris for the U. S. in a few days.

During the past year Mayer was away from New York more than half of the time, traveling abroad on varied negotiations, essentially in Europe. All of the MPAA European negotiations during the past 18 months have been directed by Mayer, with the assistance of Frank McCarthy.

In addition to negotiations with foreign governments, Mayer has been engaged in procuring dollar income from "soft-currency" territories, and as a result of his efforts during 1948, remittances have netted member companies several million dollars. "Under these circumstances Johnston deems it essential that an expanded European headquarters of the MPAA be established," it was said.

John McCarthy joined the MPAA on Jan. 1, 1947, as associate managing director of the international division, and has spent considerable time abroad in practically every part of the world.

Eric Johnston in New York For MPAA Executive Confabs

Eric A. Johnston, president of the Motion Picture Association of America, arrived in New York from Washington yesterday for informal discussions with company heads, preliminary to the Hollywood meeting of home office and studio officials on Dec. 15-17. He is expected to return to Washington tomorrow.

Elected Cavalcade V.-P.

HOLLYWOOD, Nov. 29.—Irwin Spivey has been elected a vice-president of Cavalcade Pictures and named to the board of directors.

U. S. Film Unit

(*Continued from page* 1)

guages, buying new equipment, and paying salaries. The division's current program calls for 100 new reels this year—60 acquired at no cost, and the other 40 to be paid for.

Department officials, it was learned, have asked for the same appropriation for the next fiscal year, with a view to continuing activity at the same rate—about 100 new reels and dubbing them into 20-odd languages.

Mochrie Presiding at RKO Meeting Here

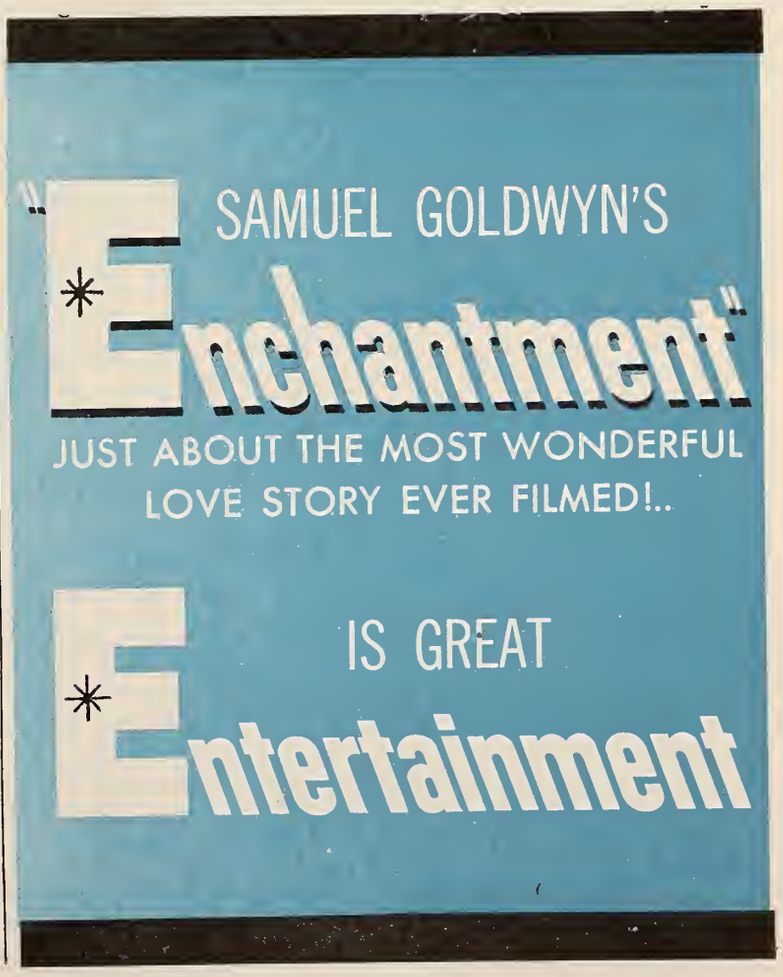
RKO Radio's two-day meeting of home office executives and the company's 11 district managers, got under way here yesterday in the Waldorf-Astoria, with Robert Mochrie, sales vice-president, presiding. Eric Johnston, president of the Motion Picture Association of America, addressed the meeting on European conditions.

Ned E. Depinet, RKO president, headed the home office contingent, consisting of Walter E. Branson, Nat Levy and Charles Boasberg, Western, Eastern and North-South division managers, respectively; Harry Michalson, short subject sales manager; A. A. Schubart, manager of exchange operations; M. G. Poller, assistant to Mochrie; Harry Gittleson, Frank Drumm, Carl Peppercorn, assistants to the Western, Eastern and North-South division managers; Leon J. Bamberger, sales promotion manager; S. Barret McCormick, national advertising director, and Terry Turner, exploitation manager.

Sales and contract departments were also represented by William McShea, Sid Kramer, J. E. Cashman, L. H. Miller, William Dahler, Frank Mooney, Irving Cane, William Zimmerman, Daniel J. Loventhal. Rutgers Neilson, publicity manager, and Harry Blair, trade paper contact, also represented the home office.

'Red River' Cited

HOLLYWOOD, Nov. 29.—Howard Hawks' "Red River" has been voted by the Screen Directors Guild to be the best directorial achievement for the three months ended Oct. 31.



ABSOLUT
FABU
BUS

Crowds storm the Victoria from the first moment of opening November 11 . . . This 1,100-seat house is playing to ***ABSOLUTE CAPACITY for SEVEN SHOWS DAILY*** at top Broadway scales! . . . Doors open at 8:30 A. M., last performance closes house at 2:30 A. M.—Eighteen solid hours a day of the busiest boxoffice you ever saw, with three-deep lines stretching 'way around the corner all the time! . . . It's the talk of the town, the pride of the industry, the all-time money wonder of all show business!

Released by RKO RADIO PICTURES, Inc.

ELY
LOUS
NESS!





Ascap Rule Stayed

(*Continued from page 1*)

plaintiffs without the condition that the latter obtain an Ascap license.

While theatremen other than the plaintiffs are not mentioned in this respect, the effect is the same for all exhibitors because of the extent of the original opinion against Ascap, according to plaintiffs' attorney Milton Weisman. He stated that the order serves to protect Ascap from contempt proceedings.

The accord was reached just before argument was scheduled to be heard on Ascap's application for the order before the Court of Appeals. When advised of the agreement, Chief Justice Learned Hand directed the court clerk to draft the order for his signature.

Before appearing before Judge Hand and his bench colleagues, Judges Harrie B. Chase and Jerome Frank, Ascap attorneys Robert Patterson and Louis D. Frohlich huddled in the court anteroom with Weisman and his associate, Adolph Kaufman.

In its stay application, Ascap told the court that some theatremen are desirous of entering agreements on methods of paying for music until the case is ultimately adjudicated. The Society said that with the order it would be able to negotiate without risking contempt action and indicated that the type of deals in mind is for the music payments to be held in escrow. Ascap also told the court that it has no intention of collecting fees from exhibitors unwilling to pay.

It is expected that appeals will be heard in about 60 days. The plaintiffs, all members of the Independent Theatre Owners Association, served notice of appeal yesterday. They seek to collect all revenue paid to Ascap since the suit was filed in 1941.

Paramount Decree

(*Continued from page 1*)

too receptive to the proposals when they were presented last Friday by Leonard Goldenson, vice-president in charge of theatres; Edwin L. Weisl, corporate director; Robert O'Brien, corporate secretary, and Walter Gross, theatre department attorney.

One highly-placed executive of the company said that the case "is back where it started—in the courts." Another source indicated "a ray of hope" for settlement.

Meanwhile, it is reported that Warner has agreed to dissolve 25 partnerships in exhibition in meetings with government lawyers here. The sessions are designed to settle as many differences as possible before the new hearings in the case, which are scheduled to begin on Dec. 20 here.

PR Shorts

(*Continued from page 1*)

headed by Robert Mochrie, RKO Radio sales chief.

The first subject, "Let's Go to the Movies" (RKO Radio), will be made available to exhibitors for playing time on March 1. The balance of the releases will follow at two-month intervals in the order named: "This Theatre and You" (Warner), "Movies Are Adventure" (Universal), "The Art Director" (20th Century-Fox), "The Screen Actor" (M-G-M).

The committee recommends that wherever possible the subjects will be played on a day-and-date basis. Efforts will be made to have prints delivered to all exchange centers early in January for trade showings.

Griffith Re-trial To Begin Today

OKLAHOMA CITY, Nov. 29.—Henry Griffing, counsel for Griffith Amusement Co., indicated today that defense strategy in the anti-trust proceedings scheduled here starting tomorrow will not require presentation of additional testimony. Failure of the defense to subpoena witnesses for the hearing before Judge Edgar S. Vaught was interpreted as foreshadowing defense objections to the government's extensive list of 43 witnesses.

Judge Vaught called the hearing to determine what should be ordered to meet terms of the Supreme Court decision reversing him and finding Griffith and its related circuits guilty of Sherman Act violations. Neither defense nor federal attorneys would disclose the results of the meeting today.

Griffing said he believed the central issue in the hearing would be the effects of the master film buying agreement which the high court found to be in restraint of trade. He said his interpretation of the final decision held that the master agreements covering both closed and competitive towns were the crux of the violations. The defense will fight any move towards divestiture of course, he added.

Judge Vaught still must rule on whether to make Theatre Enterprises of Dallas a defendant in the case in place of R. E. Griffith Theatres and Wes-Tex Theatres, two of the original defendants.

Bacon in New 20th Deal

HOLLYWOOD, Nov. 29.—Lloyd Bacon has signed a new term contract at 20th Century-Fox and has been handed directorial reins on "It Happens Every Spring," William Perlberg production, as his first under the new pact. Ray Milland and Jean Peters will star.

House Group

(*Continued from page 1*)

oil, steel and other major indust
The anti-trust court idea is the
of Allied States Association ge
counsel Abram F. Myers.

Another Allied suggestion is
likely to receive favorable comm
action. That is the suggestion to an
the Robinson-Patman Act so that
ban on price discrimination applie
film rentals as well as sales. W
committee members might
favor such a step, Rep. Patt
will head the committee next yea
reported opposed to any amendm
to the act which he co-authored. H
said to fear that any attempt to am
the act may open the way for o
members to tack weakening ame
ments onto the bill as it moves thro
Congress, and therefore that the s
ation had best be left as it is.

Top Justice Department officials
reported opposed to the idea of spe
anti-trust courts. They will urge C
gress to take three simple steps
tighten anti-trust enforcement: t
increase anti-trust appropriations; (
provide stiffer penalties for violat
of the anti-trust laws; and (3) p
the so-called Kefauver bill wh
would bar one firm from acquir
the physical assets of another fi
when the acquisition results in m
nopoly—present law only bars acqui
tion of another firm's stock.

The anti-trust division toppers al
will oppose any effort to change t
present consent decree set-up, whi
has been drawing much fire of la
They claim that it is not the gover
ment's job to build up a case for pe
sons pressing private anti-trust a
tions, and that instead Justice
charged only with getting the best ou
come of the case for the governme
with the least expenditure of the ta
payer's money.

THE NEED IS GREATER!

GIVE NOW!

Give more than last year!

FEDERATION OF JEWISH PHILANTHROPIES OF NEW YORK

Federation

OF JEWISH PHILANTHROPIES
OF NEW YORK

71 West 47th Street, New York 19, N. Y.

Allied

(Continued from page 1)

s decision "puts the problem rely up to Eric Johnston and his ciates in the Motion Picture As- ation."

doption of the Finneran Plan, oved earlier by the board of di- ors, was preceded by an animated cussion led off initially by its ir who attributed to unidentified gious and community groups a ving "nausea" and the opinion that lywood had reached a new low in als as a consequence of recent de- pments involving well-known per- alities and charges of dope and nkenness. He also declared the -office had been severely damaged the proceedings of the Thomas mittee investigating charges of mmunist infiltration in Hollywood.

Cites Myers on Legality

t was interesting to note Finneran ted Myers as having advised him plan was "workable and legal."

Charles Snyder of Michigan Allied l former police censor of Detroit ght without success to have Allied s a resolution providing that no mber would play a film in which a behaving star or player appeared. et's police the stars for the produc- and not rely on the producers," he ged. Sidney Samuelson of New sey agreed exhibitors had a clear ponsibility in the matter but saw reason why producers ought to be empted from theirs.

The resolution endorsing Finneran's n then was put to a vote and passed th the exception of one lone and recorded delegate. In an immedi- e followup, a second resolution con- mned distributors for seeking to pitalize on mavericks among per- rmers by reissuing films in which ey appear.

The other definitive piece of busi- ss today was a long discussion at- cking forced percentage deals. Led f by Benjamin Berger of North- entral Allied, distributors were ored for pressure tactics in insisting on such sales and also attacked em for lack of a nationally uniform sales policy. For instance, Jack Kirsch of Illinois voiced agreement with Berger and others in opposition to compulsory percentage, and as a counter-point stated M-G-M had sold "A Date With Judy" and "Easter Parade" flat in some Chicago situations. Kirsch insisted Allied will get nowhere by resolutions, suggested a boycott without actually using the word which Colonel Harry A. Cole later did in declaring he had noted a "retreat" in distributor policies on percentage over the last six months.

'Continue Agitation': Cole

The veteran Allied leader from Texas advised "continued agitation, pressure and screaming" on his theory that reiteration will bring results in the final analysis. On the probability of Allied maintaining an effective boycott if ever adopted, he observed the Association was "not in a position to do so" although its strength today, he said, is at its all-time peak.

Charles Niles of Iowa captured attention when he stated 150 exhibitors in the Iowa-Nebraska territory today operate under an agreement not to buy on percentage. He added he hoped to swell that total to 300 exhibitors running 340 theatres in due order. All distributors except 20th Century-Fox now sell flat in his territory, he maintained.

Leo Jones of Ohio drew a round of applause for suggesting exhibitors buy film company stocks and thereby make themselves partners in a position to criticize production and sales policies. As a 20th-Fox stockholder, he said, he had asked why that program was not shown in his own houses. The query passed from his stock-broker to A. W. Smith, Jr., finally. "I knew all along why I wasn't playing Andy's pictures in my own theatres, of course, but eventually the situation eased off so that the approximately 62 Ohio situations served out of Cleveland are now buying Fox flat when they couldn't before," he declared. "If 8,000 letters written by exhibitors as stockholders go in every week don't you think we'd get some action?"

Cole delivered a lengthy history in which he touched upon Allied's major campaigns of trade practice and legislative reform through its two decades of activity. Delving into the future, he expressed no fear over television, although he admitted its impact on exhibition remained to be seen. "It may be a tremendous asset to theatres," he suggested. He also indicated an extension of buying and booking combines may prove necessary as a further adjunct of independent theatre operation and struck forcibly for increasingly effective exhibitor associations as the bulwark of the independents' future.

MPAA Displays on PR

Two major approaches to industry-wide public relations went on display at the Allied convention today when the MPAA opened an exhibit stressing its all-industry film series and the Production Code. The films, with four finished and eight more in the blueprint stage, are designed to convey a progressive story of what makes the industry in all its branches tick. The approach to the Production Code seeks to explain in simple, and overall, terms what the code is about, how "it is a guarantee against indecency and bad taste, but within these limits allows for the fullest variety of subjects and treatments."

Citing highlights of the Code, the objective of MPAA is to inform the exhibitor who, it is hoped, will pass it on to his public and local critics—not necessarily the newspaper kind—that motion pictures are a respectable American industry aware of its responsibilities and actively on the job of meeting them.

In its weekend deliberations, during which convention procedure and additional planks in Allied's platform were determined, the board agreed to defer action on rejection or acceptance of any conciliation plan nationally until a final decree has been entered in the government suit.

"Until that time," the board determined, "we will not know (1) just what issues can lawfully be made the subjects of conciliation, and (2) whether any conciliation plan involving the adjustment of complaints of violations of the decree may not in itself be unlawful."

Not Binding Locally

However, the scattered regional units which have adopted the Andy Smith Plan, came under no mandate to abandon their decisions. Under local autonomy, these regional units are within their rights, yet the national board recommended to other territorial associations that they withhold similar action until the courts finally determine the issues.

In the background of the board's move not alone was the announced reason but also a privately acknowledged wariness about involvements with national publicity barrages which have been part and parcel of the Smith formula. Insofar as the legal ramifications are concerned, the Allied high command feels private parties adjudicating practices hitherto suspect as to legality perhaps might become targets of government scrutiny. Therefore, they appear loath to take any such chances until the law eventually laid down is sufficiently clarified.

Also determined was Washington as the scene of the board's annual meeting at which time officers will be elected for 1949. The date is to be fixed but the time will be late January. The board's spring meeting will be held in Dallas upon the invitation of Phil Isley, president of Texas Allied, which will meet jointly with the national directors. Looming at that time is a national tribute from Allied membership to Col. H. A. Cole, one of the organization's founders and now chairman of the board of the Texas unit.

The board also voted approval of Myers' recent appearance before the House Small Business Committee in Washington where he charged the three-man Federal Court hearing the government suit in New York has been "pressuring" Robert Wright, Justice Department prosecutor, "to make concessions in the interest of saving time." The convention undoubtedly will endorse its general counsel's proposal for special anti-trust courts to expedite government and private trust suits as well as his proposal for amendment of the Robbinson-Patman Bill on price discrimination in order to embrace film copyrights which, obviously, means film rentals.

Third point of Myers' agenda, which Myers himself views as more distant than near, is a formulation of government policy in opposition to vertical integration of industry which, in terms of motion pictures, would mean a frowning upon production and distribution under identical corporate auspices.

Board Approves Cryptix

Approved by the board and again foreshadowing convention acceptance was the Cryptix method of coding theatre tickets. Developed by Willis Vance of Ohio, the method claims 9,999 variations of lettering tickets, each one different, and is of primary interest to Allied because Cryptix claims to certify ticket sales without exposing grosses to any but a theatre's authorized personnel. While the U. S. Internal Revenue Department has not accepted it, Allied spokesmen assert the method has met all Treasury Department tests and is now blocked by a reluctance on the part of Internal Revenue officials to alter their long-established system of serialization of theatre tickets. It is quite likely, however, that Allied will continue to work for official clearance.



FARES REDUCED
on dependable
TWA
CONSTELLATIONS
Now enjoy the finest in air travel
at no extra fare!
The only Coast-to-Coast Constellations
TWA
TRANS WORLD AIRLINE
U.S.A. • EUROPE • AFRICA • ASIA





NATIONAL *Screen* SERVICE
PRIZE BABY OF THE INDUSTRY



Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

64. NO. 105 NEW YORK, U.S.A., WEDNESDAY, DECEMBER 1, 1948 TEN CENTS

MR. JOYCE O'HARA,
MOTION PICTURE ASSOC. OF AMERICA,
28 WEST 44TH ST., 21ST FL.
NEW YORK, N. Y.

DO NOT REMOVE

Consent Deals Held Remote In Trust Case

Para., 20th Moves to Settle Not Encouraged

Prospects of new consent decrees in the industry anti-trust suit are dim as of now with moves by Paramount and 20th Century-Fox meeting little encouragement from the Department of Justice. Additionally, Warners and Loew's apparently have withdrawn from the negotiating arena.

Meanwhile, attorneys for United Artists, Columbia and Universal are continuing meetings by themselves on their next step in the case with the indication that they might ask the New York Federal Court to direct a clarified system of selling and trade practices which would not be vulnerable to damage actions by exhibitors.

A top-ranking Paramount source admitted yesterday that "it looks like Paramount is going to trial." Contrary to earlier impressions, he said that the film company has offered no

(*Continued on page 4*)

M. & P. Would Buy Netco from Para.

BOSTON, Nov. 30.—Negotiations for purchase of Paramount's 50 per cent interest in Netco Theatres are being conducted by Martin Mullin and Sam Pinanski of M. and P. Theatres, a Paramount affiliate.

Netco Theatres includes about 40 houses in the Massachusetts and Maine territory. They are presently operated by M. and P. The two Paramount partners own the other 50 per cent of Netco. The negotiations have been under way for some time and are reported to be well advanced as of now.

Previously published reports that Mullin and Pinanski were negotiating for Paramount's half interest in the 101-theatre M. and P. circuit were denied here.

Rules 20th, WB Must Bid for Own Product

PHILADELPHIA, Nov. 30.—U. S. District Court Judge William H. Kirkpatrick today ruled that Warner and 20th Century-Fox must bid competitively for the first-run rights to films produced in their own studios. Ruling was in reply to a request by the distributors for clarification in the extended legal battle started by William Goldman Theatres.

GambleBuying 30 in Midwest Before Jan. 1

Acquisition by Gamble Enterprises of a block of some 30 Midwest theatres at a price of $3,000,000-plus will take place before Jan. 1, it is reported in exhibition circles here. This expansion by Ted R. Gamble's organization, it was said, will be an initial step toward the merger of his interests with one or more other circuits in that area, with the combined interests to represent a total of some 70 theatres, largely first-run.

Queried on the report, Gamble acknowledged that he intends to operate in the future more or less exclusively in the Midwest, that he expects to consummate a circuit-buying deal

(*Continued on page 2*)

Jury Selection On As Cole Suit Opens

LOS ANGELES, Nov. 30.—Asserting that in his opinion "the employer has full right to restrict certain constitutional rights of his employe as a condition of employment," Federal Judge Leon R. Yankwich this afternoon began selection of a jury to hear arguments in the declaratory relief suit brought by writer Lester Cole against M-G-M for restoration of his $1,350 per week contract and damages of $70,200 representing the unpaid salary since Cole's discharge after his

(*Continued on page 2*)

Coast MPAA Meet Off to Jan. 26-28

Executive board of the Motion Picture Association of America yesterday postponed to Jan. 26-28 the Hollywood meeting of New York and studio officials, originally scheduled for Dec. 15-17, because some members would be unable to attend at the earlier date. Eric A. Johnston, MPAA president, returned to Washington last night following yesterday's board session, over which he presided.

Phila. IATSE Local Rebels

PHILADELPHIA, Nov. 30.—Philadelphia Theatre Employees Local No. B-100 of the IATSE, representing some 1,000 members employed in 79 theatres in this area, filed yesterday in the local Common Pleas Court a bill of equity asking for an injunction to restrain national officers of "IA" from entering into any contract in behalf of the local with Warner Brothers Circuit Management Corp.

Officers of the local, which has been negotiating for a new contract since last August, do not want. "IA" national representatives to make any agreements affecting the local without approval of a majority of the membership. It has been intimated that B-100 would withdraw from the "IA," an AFL union, and join the CIO if

(*Continued on page 2*)

Agnew, Casanave Will Sell for Independents

Neil F. Agnew, formerly president of Selznick Releasing Organization, and Charles L. Casanave, formerly vice-president of National Screen, have formed a new company, Motion Picture Sales Corp., which will represent producers, directors, artists, banks, and others having a financial interest in motion pictures released through national distributing companies.

The new organization, which will have offices in New York, Chicago, Los Angeles, Atlanta, Mexico City and other locations, will be unique in the industry, Agnew and Casanave claim, in that it will render in behalf of individual firms a complete sales-promotion service, including publicity,

(*Continued on page 2*)

Warner Sales Meet Opens Here Today

A two-day sales meeting of Warner district managers will get under way here today at the company's home office, with Ben Kalmenson, sales vice-president, presiding.

Merchandising plans for forthcoming releases will be discussed, including "The Decision of Christopher Blake," "One Sunday Afternoon," in Technicolor, "Whiplash," "Adventures of Don Juan," Technicolor, and "John Loves Mary," plus features on the company's spring and summer release schedules.

Allied Accepts Bid to Join in Coast Parley

Will Carry Protest on 'Paid Ads' to Meeting

By RED KANN

NEW ORLEANS, Nov. 30.—Allied States will register a vehement protest over inclusion of "paid advertising" in current product when Trueman Rembusch participates in the industry meetings scheduled for Hollywood. Allied today accepted an invitation from Eric Johnston, president of the Motion Picture Association of America, to take part in a forum there on public reactions to film content. Johnston likewise has invited Arthur H. Lockwood, president of Theatre Owners of America, and Hugh Bruen, a trustee of the Pacific Coast Conference of Independent Theatre Owners.

In his letter to William L. Ainsworth, president of Allied, who later designated Rembusch to represent Allied, Johnston stated the Hollywood agenda would discuss methods of cut-

(*Continued on page 4*)

Sears to Coast for New Product Deals

Gradwell Sears, president of United Artists, will leave here for the Coast on Friday with the object in mind of bolstering the company's release schedule by way of possible new distribution deals and finalization of the three-picture agreement with Howard Hughes.

UA's product supply for the months ahead was the subject of "deep concern" at the company's board meeting here on Monday. The product supply is said to be adequate at present but future operations appeared not too bright where forthcoming pictures from independent producers releasing through UA are concerned, it was said.

MGM Field Aides to Meet Next Week

William F. Rodgers, M-G-M sales vice-president, will hold a series of meetings with the company's field sales heads and their territorial and home office assistants starting Dec. 6 at the Astor Hotel here. In addition, a number of home office executives will be on hand for the meetings which will wind up Dec. 11.

Personal Mention

E. J. MANNIX, M-G-M studio executive, will leave here today for Hollywood.

•

MOREY GOLDSTEIN, Allied Artists-Monogram sales manager, left here yesterday for Chicago to meet company president STEVE BROIDY, vice-president HAROLD MIRISCH and SCOTT R. DUNLAP, assistant to BROIDY. They will all attend the Variety testimonial for ROBERT J. O'DONNELL in Dallas on Saturday.

•

RICHARD A. EICHBERG will sail for Europe today on the *SS America* to make arrangements for a film to be produced on the Continent.

•

KARL HERZOG, Cinecolor executive vice-president, is due here today by plane from the Coast.

•

KENNETH MACKENNA, M-G-M studio story head, will leave here today by plane for the Coast.

•

HERBERT SILVERBERG, Coast film attorney, will arrive in New York today from Los Angeles.

•

JOSEPH HAZEN, president of Hal Wallis Productions, left New York for the Coast last night.

Name 11 Managers In 'Depinet Drive'

RKO Radio's 11 district managers will act as captains in their respective territories for the 12th annual "Ned Depinet Sales Drive," Dec. 17 through May 5, Robert Mochrie, distribution vice-president, announced here yesterday at the final session of the company's two-day meeting of district managers in the Waldorf-Astoria Hotel. The managers are: Metropolitan, Len S. Gruenberg; Northeastern, Gus Schaefer; Eastern, R. J. Folliard; East Central, M. E. Lefko; Mid-western, H. H. Greenblatt; Prairie, R. V. Nolan; Rocky Mountain, A. L. Kolitz; Western, J. H. MacIntyre; Southeastern, Dave Prince; Southwestern, Ben Y. Cammack; Canada, L. M. Devaney.

Mochrie stated that the drive would be spearheaded by Sierra Pictures' "Joan of Arc."

Center Hearings Due

WASHINGTON, Nov. 30.—An order rejecting a motion to dismiss F. B. Klein and Charles Wingfield, theatre-owning film salesmen, as defendants in the damage and injunction action brought by the Center Theatre, Centreville, Md., has not been made final and further hearings on the motion will be held, probably this week, according to E. W. Mollohan, Jr., attorney for Klein and Wingfield. MOTION PICTURE DAILY reported on Nov. 24 that Judge M. F. McGuire had denied the motion to dismiss and that a formal order was being prepared for signing.

Ascap to Negotiate Telecast Contracts

Board of directors of the American Society of Composers, Authors and Publishers at a meeting here yesterday voted early negotiation of licenses with television stations, advising the stations that present gratuitous arrangements will continue only to Jan. 1.

It was said that the gratis licenses will continue to March 1 with the proviso that any contract negotiated within the two-month period will be retroactive to Jan. 1. It was said additionally that if no accord on new contracts is reached Ascap will waive its fees for the period. The board voted to advise telecasters that Ascap's video license arrangements with its members are expected to be completed this month.

Schine Cites LeRoy As No. 1 Director

HOLLYWOOD, Nov. 30.—Mervyn LeRoy today was named Hollywood's No. 1 box-office director by J. Myer Schine, president of Schine Theatre Circuit, Inc., in recognition of his motion picture achievements.

LeRoy was presented with a scroll in a ceremony at the Ambassador Hotel.

Luncheon to Mark Benjamin Retirement

National Screen employes here will give a farewell luncheon on Dec. 10 for Paul Benjamin, NSS production department chief, who will retire on Dec. 31 after 29 years with the firm.

Benjamin, a member of the Picture Pioneers, will leave here for Florida in January.

20th Board Is Due to Elect Einfeld Dec. 16

Twentieth Century-Fox board of directors is scheduled to meet here Dec. 16, at which time it is expected to elect Charles Einfeld as the company's advertising-publicity vice-president. Einfeld, formerly president of Enterprise Productions, is scheduled to assume the post formally on Jan. 1.

Para. Video Permit Granted for Coast

WASHINGTON, Nov. 30.—Paramount Television Productions, Inc., was granted a license today by the Federal Communications Commission for a new experimental television relay broadcast station in Los Angeles.

Video Forum Tonight

Large screen television, advertising, network operation, production, distribution and camera lenses will be discussed by six speakers this evening at the Museum of Modern Art here at an American Television Society film forum, it was announced by Emerson Yorke, ATS president. Speakers will include Donald Hyndman, Winslow H. Case, William S. Hedges, Lee Cooley, Jay Williams and Lawrence Martin.

3 Witnesses Heard At Griffith Trial

OKLAHOMA CITY, Nov. 30.—Only three of the government's 43 witnesses were called today as the hearing on the Griffith decision got off to a slow start before Federal Judge Edgar S. Vaught.

Following testimony by Dennis Scaling of Lubbock, Tex., first government witness, Charles Cochran, attorney for Griffith, objected to what he said was the repetition of evidence presented in the 1945 trial and held that testimony relating to the distributors was irrelevant because they are not parties to the case.

When Milton Kallis, a government attorney, said the distributors had been included in the Supreme Court ruling, Judge Vaught asked: "Do you say the court held the defendants were in conspiracy with all the major distributors?"

"Yes," answered Kallis.

"Then they did it without any evidence," Judge Vaught retorted, pointing out that a number of distributors have been dismissed as defendants in the original suit. Also appearing today as witnesses were William Nagle of Gallup, N. M., now a partner of Griffith, and W. P. Moran.

Cole Suit

(*Continued from page* 1)

refusal to answer questions of the House Un-American Activities Committee.

At the same time, the jurist turned down a plea by Robert Kenny, Cole's counsel, to decide the case in favor of the writer on basis of briefs presented to the effect that the "public relations" clause of the contract under which Cole was discharged violates public policy. Judge Yankwich also said he would attempt to keep the issue of communism out of the proceedings by screening all questions and doing the questioning personally.

Kenny listed Louis B. Mayer, E. J. Mannix, Jack Cummings and Nicholas Nayfack among the witnesses he will subpoena.

Gamble Buying 30

(*Continued from page* 1)

before Jan. 1, but said disclosure of details would be premature at this time.

It is understood that Gamble will sell his 13 Far West houses upon acquiring the 30 Midwest theatres. That would leave him with his eight former Monarch circuit houses to tie in with the new 30, to make a Gamble Midwest circuit of 38. Gamble's only tie with the Far West would be through his three drive-ins in Oregon.

Cohns Not Selling Stock

Reports emanating from Washington late last week had Columbia's Harry and Jack Cohn proposing for public sale 1,414 shares of the company's stock. The indication of a sale was erroneous, the company said here yesterday, explaining that the Cohns had merely registered the shares with the Securities and Exchange Commission as a routine matter.

Newsreel Parade

THE Army-Navy game is a highlight in current newsreels. Other items include the unveiling of Father Flanagan statue and a note on the Yuletide season. Complete contents follow:

MOVIETONE NEWS, No. 96—Tl dock strike ends. Winston Churchill hon ored. King of Burganda, Africa, marrie Father Flanagan statue unveiled. Football

NEWS OF THE DAY, No. 22—...ory of Father Flanagan honored. ushers in Yuletide season.

PARAMOUNT NEWS, No. 29—Arm vs. Navy game.

UNIVERSAL NEWS, No. 200—Boy Town founder honored. Navy battles Army

WARNER PATHE NEWS, No. 31—Santa arrives. Boys Town founder honored Army-Navy game. Penn-Cornell.

Phila. 'IA' Local

(*Continued from page* 1)

it fails to obtain injunction it seeks.

Hearing on the injunction petition was postponed by the court to Friday.

B-100 is seeking a 35-cents-per-hour wage increase for ushers and porters, and a flat $20 per week increase for assistant managers. Company counter-offers have been considerably below these demands.

IATSE national officers were not available here yesterday for comment on the report from Philadelphia.

Agnew, Casanave

(*Continued from page* 1)

advertising, press books and actual field sales work. Heretofore, independent industry promotion organizations have not incorporated actual field selling to theatres in their services.

Agnew, who is president of the new organization, said MPS will have a specialized sales staff operating with a trained group of sales executives supervising sales operations. Casanave is MPS executive vice-president and treasurer.



Have YOU tried a SKYBERTH on American's famous DC-6 "MERCURY" flight to LOS ANGELES?

Phone HAvemeyer 6-5000 or your travel agent

Ticket Offices: Airlines Terminal Rockefeller Center • Hotel New Yorker 120 Broadway • Hotel St. George

AMERICAN AIRLINES

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

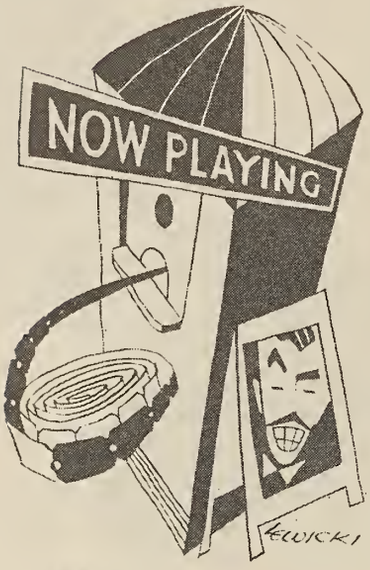
"You mean M·G·M's '3 MUSKETEERS' is beating famed EASTER PARADE' nationwide?"



"Yes, 'MUSKETEERS' is topping 'Parade' by 12% in the first six dates! It also continues Big, entering its 3d record month on Broadway!"

SPREAD THE NEWS!

When you top "EASTER PARADE" that's some topping!



it's POPULAR for Motion Pictures!

. . . this fourth largest magazine audience in America!

Here are 12,750,000 people—the middle class at its most concentrated — drawn together through the mighty magnet of specialized fiction . . . detective tales, adventure yarns, romance, sports, mystery, westerns. Here are 25 pulp fiction magazines combined into one powerful selling force — The POPULAR Fiction Group.

Because these readers prefer fiction first, they are virtually untapped by any other major magazine. More than 12% of the country (over 15 years) is ready and waiting for you at $1.20 per page per M guaranteed.*

This great natural market meets your most rigid standards for mass sales: SEX — Men — 53.7%. Women — 46.3%. INCOME — 62% in middle class or better. EDUCATION — 61% High School or better. *2,500,000 ABC

Special for the Motion Picture Industry! A Market report clearly defining who your customers are and where they can be found. Write for a copy today!

LEADING ADVERTISERS IN ALL FIELDS . . . GILLETTE, MENNEN, WINCHESTER, RKO, PHILIP MORRIS, CALVERT . . . ARE USING . . .

The Popular Fiction Group

. . . magazines of Adventure, Romance, Mystery, Sports, Railroading, Detective and Western Tales.

205 E. 42nd St. New York 17 — 333 N. Michigan Ave. Chicago 1 — 427 W. Fifth St. Los Angeles 13

Allied Accepts

(*Continued from page* 1)

ting costs and increasing theatre attendance which is where the invited exhibitor leaders come in. He added the conference will want guidance on public acceptance or rejection of trends in the flow of product. The Production Code Administration will have prepared an analysis of protested or objectionable content, the letter continued, while reactions of foreign audiences are to be available as a means of determining what films most representative of America are to be exported.

No opposition to Allied's participation in this program developed at today's sessions here. But the development did let loose considerable discussion as to the ground to be covered by Rembusch in acting for Allied. All units will be asked their ideas, but from the floor today came a veritable outpouring of heated charges accusing producers of accepting money and deliberately incorporating paid advertising in entertainment features.

Cites Films With Ads

Principal charge was made by Rube Shor of West Virginia who produced photostats of three letters presumably written to dealers of National Premium Beer by Norman S. Almony, advertising manager of the National Brewing Co. of Baltimore. The communications, as read by Shor, advised dealers of the names of current and unreleased product in which National Premium Beer "appeared," and in all instances concluded with this reference, "This is a very important part of our national advertising." Ten United Artists films, six Monogram, two Warner, two 20th Century-Fox, one Paramount and one Screen Guild were mentioned.

Julian Rifkin of Massachusetts alone withstood the tide. He took the view the correspondence attributed to National Brewing might be information passed to its dealers alerting them to the possibilities of cooperative advertising with theatres and not necessarily indicative of paid advertising.

So far as Allied's convention is concerned, consequently, the advertising issue will be Rembusch's chief presentation at the Hollywood meetings although other matters were suggested and still others no doubt will be assembled for him from the field.

Would Change Studio Heads

Louis Wiethe of Ohio thought rising costs ought to be cut and suggested a change in studio administrations if the incumbents did not know how. On the other hand, John Wolfberg of Colorado stated producers ought to get back their costs from affiliated theatres "who pay less than one-half than the independents."

Such titles as "Kiss the Blood Off My Hands" were sharply criticized as too lurid, but O. F. Sullivan of Kansas suggested producers would drop them hurriedly if Allied theatres refused to play attractions so endowed. J. P. Adler of Wisconsin wanted fewer murder and mystery films, and N. K. McDaniel of Texas attacked cartoons for stressing "too much sex."

The anticipated resolution condeming forced percentage was passed unanimously. It provided for appointment of a committee, yet to be named, to confer with company heads, learn their intentions as to compulsory percentage and report findings to the national board meeting in Washington late in January.

Rembusch, who operates Station WWNI in Wabash, Ind., and WCSI at Columbus, Ind., led off a long exploration of video. His conclusion was television is in inexperienced hands, that it is dependent upon motion pictures, that the effect of video would be greater on radio than films. He predicted, too, that television would have to inaugurate its own film-making program, foresaw great programming troubles and generally rested on his opinion that television confronted the film industry with no substantial threat. Irving Dollinger and Edward Lachman of New Jersey, Ernest Schwartz of Ohio, Charles Snyder of Michigan, Harold Pearson of Wisconsin, and Sidney Samuelson of Pennsylvania were other principals in the discussion. In the main, they paralleled Rembusch in his thinking.

Industry Shorts Praised

David Palfreyman of MPAA promised a release every other month in the industry series of shorts beginning in March and said subsequently 16mm. prints will be made available to all exhibitor associations as a public relations aide with outside groups. Various Allied directors who have seen the first four united in high praise of their quality and audience appeal.

Stanley Kane of North-Central Allied reviewed the Ascap situation, declaring the long fight waged by exhibitors finally had been won. National Allied hereafter will work with Benjamin Berger, who spearheaded the fight in the Northwest, and share legal fees on an assessment basis if this becomes indicated.

The recently organized Mid-Central unit, headquartering in St. Louis, formally entered Allied ranks this afternoon, marking the 19th regional association in the roster.

The final day of the convention will be devoted to the Smith-Berger conciliation plan which Allied will bypass for the present. National screen service is slated for attention, and the Allied Caravan will be discussed. Abram F. Myers, general counsel, will analyze the various government cases.

The concluding banquet will pivot around Allied presidents, past and present, with a particular tribute to Herman A. Blum of Maryland, 82-year old Allied pioneer.

Deals Held Remote

(*Continued from page* 1)

concrete proposals to the Justice Department and characterized the purpose of the meeting with government attorneys in Washington last Friday as an effort to ascertain to what extent the views of both sides ran parallel so that negotiations could begin.

Government representatives, he said, "talked around" the basic issues on divestiture instead of declaring themselves in any forthright fashion. He answered in the affirmative when asked if the government is still intent on pressing for divorcement but added, "except where first-runs are concerned."

At 20th-Fox it was said, too, that concrete proposals have not been made and that the last meeting with the government, about 10 days ago, was exploratory in nature and no encouragement was given. No further meetings are on schedule at present but new discussions could be held at any time. 20th-Fox's general idea for divestiture of interest in all houses except first runs has yet to be na rowed down to exact terms, it w said.

That neither Loew's nor Warne has exerted any recent serious effor to reach an agreement was the sul stance of reports by spokesmen fo both companies.

Warners and Loew's, howeve have agreed to dissolve a few the atre partnership arrangements, bu are at issue with the government o others. Robert Wright, attorney fo the Justice Department, is expecte in New York from Washington with in the next few days and will resum work with the companies on testi mony to be entered in the record o the case by stipulation and on mu tually satisfactory dissolutions. 20th Fox already has served notice on th government that it will contest som dissolutions which the governmen intends to insist upon. That company has yet to agree on any break-up o partnerships.

Price-fixing and systems of clearances are among the concerns of the "Little Three." It is understood that they have given thought to means of specifying admission prices in exhibition contracts for the limited purpose of determining reasonable rentals free of conspiracy and clearance considerations. They also feel that the injunction against a "system of clearance" contained in the RKO consent decree is inadequate in that it does not specifically state under what conditions such a system exists or ceases to exist.

Industry Leaders FJP O'Dwyer Tribu

Leaders of the film and allied indu tries who will join Fred Schwa chairman of the amusement division the Federation of Jewish Philanth pies, on the dais in paying tribute Mayor William O'Dwyer on Tuesd Dec. 14, will include Herman Gelb Jack Cohn, Walter Reade, Jr., Geo J. Schaefer, Martin Quigley, Ha Brandt, Charles C. Moskowitz, L pold Friedman, Benjamin E[illegible]di Abel Green, William Heine[illegible] seph Bernhard, Morey Goldste[illegible] Sullivan, Emil Friedlander, Arth M. Lockwood, Si Fabian, Sam Ros Sam Rinzler, Marcus Heiman, Irvi Caesar and Abe Schneider.



MEMBER FEDERAL DEPOSIT INSURANCE CORPORATION

From Newark—MIAMI $50 COAST TO COAST

FLY OVERNITE TO Coast to Coast $88 PLUS TAX

SKYCRUISES, INC. DC-4 • 12 HOURS
Air Travel Agency

HOTEL DIPLOMAT 108 W. 43rd St. New York City BRyant 9-3707

HOTEL BRISTOL 423 W. 8th St. Los Angeles Trinity 8662

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64. NO. 106 NEW YORK, U.S.A., THURSDAY, DECEMBER 2, 1948 TEN CENTS

TOA, PCCITO Will Also Be At MPAA Meet

But, Unlike Allied, Minus Specific 'Protest' Plans

Representatives of the Theatre Owners of America and Pacific Coast Conference of Independent Theatres Owners will attend the Jan. 26-28 meeting in Hollywood of the Motion Picture Association of America executive board for discussion of what MPAA Eric A. Johnston's invitation termed "the public acceptance of current films." Allied States Association accepted Johnston's invitation on Tuesday, it was reported from New Orleans, where Allied's convention was in progress.

Whereas Allied has indicated that its representative at the meeting will convey a vehement protest over inclusion of "paid advertising" in current product and will voice the organization's stand on a number of other pertinent points, PCCITO has indicated it has no special problems to submit and a TOA spokesman here said yes-

(*Continued on page* 4)

TOA Conciliation Group for Albany

ALBANY, Dec. 1.—Formation of a temporary Theatre Owners of America conciliation committee for the Albany exchange district followed addresses on the plan this afternoon by Gael Sullivan, TOA executive director, and by Ray Moon, 20th Century-Fox division manager, on the Andy W. Smith, Jr.-Ben Berger plan. Included on the committee, which will function for 90 days, are Harry Lamont, Sidney Dwore and John Gardner, with Leonard L. Rosenthal, executive director of the local TOA group, as counsel.

Korda Severs Ties With British Lion

LONDON, Dec. 1.—Hugh Quennell, Sir David Cunynghame and Harold Boxall, associates of Sir Alexander Korda, have resigned their directorships in British Lion Distributing Co., hitherto accepted as closely integrated with Korda's London Films. Their resignations, Korda states, will enable London Films to concentrate on production only, with British Lion given

(*Continued on page* 2)

Gowthorpe to Head Butterfield Circuit

DETROIT, Dec. 1.—L. E. Gordon, president of Butterfield Theatres, announced today his retirement from active management of the theatre circuit which he assumed upon the death of E. C. Beatty in Jan., 1947. M. F. Gowthorpe of New York, long time Paramount operations executive, will become the new president and general manager, and will continue the present policies of the company. His resignation from Paramount will become effective Dec. 31, and he will move to Detroit about Feb. 1. Gowthorpe has been on the board of Butterfield for the past 15 years. No other change in operational personnel is contemplated.

Gordon, who is a trustee of the Butterfield estate, stated that his retirement from active management was in accordance with the original plan of the trustees whereby he was to assume management until a qualified operator could be secured.

Cole vs. MGM Suit Recessed for Week

LOS ANGELES, Dec. 1.—Federal Judge Leon Yankwich this afternoon recessed the Lester Cole vs. M-G-M trial for one week to allow opposing counsel to confer on stipulations which the jurist said might materially shorten proceedings. The ruling followed opening arguments by attorneys for both sides, with Charles Katz representing Cole and Irving Walker for M-G-M, and a conference with the judge in his chambers.

Katz, in his opening argument, quoted Louis B. Mayer as having told Cole when Mayer was asked by the company to discharge the writer, "I

(*Continued on page* 4)

Griffith Trial Hears Two More Witnesses

OKLAHOMA CITY, Dec. 1.—Two additional witnesses were called by the government today in the Griffith antitrust suit hearings before Judge Edgar S. Vaught, while defense attorney C. B. Cochran observed that the pace set in the first two days of the hearings indicates the proceeding will take at least a month.

The witnesses were John Gray, former operator of two houses in Enid, Okla., and Joe Bryant, who operates the Midway Theatre in Lubbock, Texas. Bryant testified that from April to Oct., 1938, he attempted to buy pictures for the Cactus Theatre at Lubbock, but was unable to get better than subsequent runs. Gray

(*Continued on page* 4)

20th's Negotiations For ABC Collapse

Twentieth Century-Fox's offer to purchase control of American Broadcasting was "substantial but not enough," and consequently negotiations have been terminated, it was disclosed here yesterday by Edward J. Noble, ABC board chairman and majority stockholder. The network is unofficially valued at $20,000,000.

Truman Encourages US Films Abroad

WASHINGTON, Dec. 1.—President Truman considers it very important that American motion pictures be shown in all countries of the world.

That was the word relayed by Motion Picture Association of America president Eric Johnston today, as he emerged from a 15-minute White House session with Truman.

"I discussed with the President the problems of the motion picture industry around the world and my experiences selling films to some of the countries last summer," Johnston told reporters. "I outlined the problems which the industry faces from increased restrictions on playing time, quotas and other restrictions.

"The President expressed great interest in our problems. He said he considered motion pictures a very important matter, that it was very important that they should be shown in all countries."

Johnston refused to say what specific help, if any, he had asked of the President. He also refused to comment on whether he had discussed labor legislation with the President.

Brochure on PCA Code to Theatres

Motion Picture Association of America today will begin distributing to exhibitors a special brochure based on the Production Code and pointing out that the theatre's "position has been built on a firm foundation of responsibility to the public."

Characterizing the Code as "a crystallization of sound American judgment," the MPAA declares: "The industry's code represents carefully developed standards which through the years have won wide public acceptance and approval. It is a guarantee against indecency and bad taste, but within these limits it allows for the fullest variety of subjects and treatments. It puts no brake on creative ability."

Further Para. Case 'Benefits' Seen by Myers

Says Allied Will Aid in Policing Final Decree

By RED KANN

NEW ORLEANS, Dec. 1.—A "new birth of freedom" has been given the independent exhibitor by the Supreme Court decision in the government case, but its extent is yet to be grasped, Abram F. Myers, chairman of the board and general counsel of Allied, declared as the business phases of the Association's 15th annual convention closed this afternoon.

He stated this "new freedom" actually cannot become fully effective until the final decree is entered and until the Department of Justice has had the time to police it. "The real fruits are in the future," Myers observed, adding that government policing also imposes on Allied a certain measure of its own policing.

"Therefore, we shall collect, sift and

(*Continued on page* 4)

New Allied Unit For Memphis Area

NEW ORLEANS, Dec. 1.—Allied States will have a unit in the Memphis territory as soon as organization work is completed. The plan, currently centered in a group of exhibitors from that area, is already in work through a committee composed of T. A. Batlas, J. A. West, Edward O. Collins, Dave Flexer, John C. Mohrstadt, Lyle Richmond, Mrs. Claire Collier and Ned Green. Batlas and West are national directors of the TOA from which, they stated today, they do not intend resigning.

Gulf States Allied Elects 7 Directors

New Orleans, Dec. 1.—Gulf States Allied today increased its board from 12 to 15 and elected seven new directors. New three-year term directors are J. V. Quinn, Nick Lamantia, W. M. Sendy, Locke Bolen and B. V. Sheffield. G. L. French was elected for two years and J. Williams for one year.

The new board will elect officers at its next meeting.

Personal Mention

ERIC JOHNSTON, Motion Picture Association of America president, will address a luncheon-meeting of the New York State Chamber of Commerce here today. Accompanied by assistants JOYCE O'HARA and EDWARD CHEYFITZ, he is scheduled leave the Capital by plane Sunday for the Coast.

•

NED DEPINET, RKO president; ROBERT MOCHRIE, RKO Radio distribution vice-president; CHARLES BOASBERG, North-South division sales manager, and WILLIAM ZIMMERMAN, sales executive, will attend the ROBERT J. O'DONNELL testimonial dinner in Dallas on Saturday.

•

OSCAR F. NEU, president of Neumade Products, who is attending the Allied convention in New Orleans, is due back in New York on Dec. 14 after a tour of the Midwest.

•

SAMUEL N. BURGER, Loew's International sales manager, has returned to New York from a round-the-world trip.

•

Y. FRANK FREEMAN, Paramount vice-president, will leave New York at the weekend for the Coast.

•

HERMAN RIPPS, M-G-M assistant Eastern sales manager, will return to New York tomorrow from Boston.

•

A. PAM BLUMENTHAL, Cinecolor board chairman, has returned to the Coast from New York.

•

MARVIN SCHENCK, M-G-M Eastern studio representative, is in Hollywood from here.

Jack Ellis Elected NY Film Board Head

Jack Ellis, United Artists district manager, yesterday was elected president of the New York Film Board of Trade, succeeding Clarence Eiseman, Warner district manager, who has been named sergeant-at-arms.

Other officers of the organization are: Nat Furst, Monogram, first vice-president; William Murphy, Republic, reelected second vice-president; Saul Trauner, Columbia, treasurer, and R. J. Fannon, Republic, secretary.

Mrs. Florence Slater

BOSTON, Dec. 1.—Mrs. Florence Scully Slater, sister of William A. Scully, Universal-International sales vice-president, died at her home here Tuesday after a lengthy illness. Funeral will be from Crosby's Funeral Parlor on Friday, with a Requiem Mass at St. Ignatius Church at Boston College. Interment will be at Hollywood Cemetery, Brookline. In addition to Scully, Mrs. Slater is survived by her husband, Richard, a son, Richard Jr., two other brothers, John J. Scully, district sales manager for U-I, and Frank Scully, formerly with Loew's, and two sisters, Anne and Mary Scully.

100 Film Titles to USSR for Selection

WASHINGTON, Dec. 1.—List of 100 film titles from which the Soviet Union is to select the films it wants to buy from the U.S. film industry has been submitted to Moscow, Motion Picture Association of America president Eric Johnston disclosed here today.

He said that the only announcement as to specific titles will be an announcement of the films Russia finally selects. He declared that the list had not been formally submitted to the State Department for an opinion but that the "State Department was familiar with all of the titles on the list."

Legion's 'B' Rating To 'Wonderful Urge'

Twentieth Century - Fox's "That "Wonderful Urge" was given a "B" classification by the National Legion of Decency in its review this week of seven pictures. Rated as A-I were: Columbia's "Blondie's Secret," Paramount's "Dynamite" and Warner's "Fighter Squadron." Paramount's "The Accused," RKO Radio's "Every Girl Should Be Married" and Film Classics' "Inner Sanctum" were classified A-II.

Jacobs Purchases 2 Northwest Branches

SAN FRANCISCO, Dec. 1. — N. P. Jacobs, formerly branch manager for RKO Radio, has purchased the Portland and Seattle branches of Favorite Films of California. Jacobs previously had bought the interests of Moe Kerman and Joe Felder, and with the acquisition of the interest of Harry G. Price, he now becomes sole owner of the exchanges.

Warner's UK Studio Reopens in January

LONDON, Dec. 1.—Anatole de Grunwald will produce his "Now Barrabas" at Warner's Teddington Studios beginning Jan. 3, thus marking the reopening of the closed plant. Studio officials expressed the hope that de Grunwald's production will be the first of a series which will keep Teddington in continuous operation.

FC's Kranze Names Parker L. A. Manager

B. G. Kranze, Film Classics' sales chief, has appointed William Parker, branch manager of the company's Los Angeles exchange, succeeding Robert Ableson who was recently elevated to district manager of Los Angeles, San Francisco, Denver and Salt Lake.

'Words, Music' to Hall

M-G-M's Words and Music," Technicolor musical produced by Arthur Freed and directed by Norman Taurog, will have its world premiere at Radio City Music Hall here on Dec. 9, following "Hills of Home."

Korda, British Lion

(*Continued from page 1*)

an opportunity to open its financial, distribution and studio facilities to a widening number of independent British producers.

It is believed in industry circles here that the resignations and the disassociation arose out of circumstances of the Government Film Bank's loan of 1,000,000 pounds ($4,000,000) to British Lion, it being held desirable that British Lion therefore dissolve the production association with Korda.

British Lion, however, will continue to distribute Korda films. Sir Arthur Jarratt is acting as chairman of British Lion until a new chairman is elected shortly. It is understood that the new chairman will be a prominent financial authority hitherto unconnected with film interests.

E-L's Heineman Holds Parley in Portland

PORTLAND, Ore., Dec. 1.—William J. Heineman, Eagle-Lion distribution vice-president, and Milton E. Cohen, captain of the company's "Jack Schlaifer Testimonial Drive," arrived here today for a two-day sales meeting with Portland and Seattle branch personnel. From here the two will go to San Francisco for a two-day meeting.

Heineman's following stop will be Dallas where he will attend the Robert J. O'Donnell testimonial dinner.

Meyer Lefton, 75, Exchange Pioneer

CLEVELAND, Dec. 1.—Meyer Lefton distribution pioneer, about 75 years old, died here yesterday following a illness of several weeks. For many years prior to his retirement a year ago, he was affiliated with the local Republic exchange. Surviving are his brothers, Nat L., former Republic franchise owner, now retired, and Lou of Los Angeles; and three sons and a daughter, Albert and N[illegible] Cleveland, Jack of Detroit, and S[illegible]

Edward Black Dies In London at 48

LONDON, Dec. 1.—Producer Edward Black, 48, died here suddenly today.

Son of a family of veteran theatre owners here, Black owned his own theatre at the age of 16. He entered studio management with Gainsborough in 1930, and entered production shortly thereafter. After two years with M-G-M here, he joined Korda in 1940 as a producer.

Ray McCarey, 44

HOLLYWOOD, Dec. 1.—Ray McCarey, 44, veteran director and brother of Leo McCarey, was found dead at his home this morning. He directed "The Gay Intruders," a Frank Seltzer-20th Century-Fox film, this year. Survivors include the widow and two daughters.



MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street. Editorial and Advertising. Urben Farley. Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London WI. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter. Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

DENNIS MORGAN

DOROTHY MALONE ☆ DON DeFORE ☆ JANIS PAIGE





One Sunday Afternoon

ED BY
OUL WALSH

Screen Play by ROBERT L. RICHARDS · From the Play by JAMES HAGAN
Musical Numbers Created and Staged by LeROY PRINZ
Music Arranged and Adapted by RAY HEINDORF

PRODUCED BY
JERRY WALD

IN COLOR BY
TECHNICOLOR

COME TO WARNERS' MUSICAL TRADE SHOW DEC. 6!

EXHIBS WILL BE SINGING ITS PRAISES!





Myers

(*Continued from page* 1)

coordinate complaints for transmission to the proper authorities through a single channel—Allied," he said. "We shall have to get examples from the field and develop a pattern of behavior by collecting documented evidence so that we can submit it all at one time."

Allied also intends to publish a manual carrying in simplified language what the final decree provides, with footnotes by various of the organization's leaders as guidance for exhibitors.

Explains 'Anti-trust Court'

Myers perhaps divulged Allied's methodology for the future when he declared, "we look with no pleasure toward launching any further broad legislative campaigns." But the purpose of seeking establishment of special anti-trust courts, he explained, is to "fill in the cracks" and hasten trust litigation toward a conclusion by reducing the dilatory tactics and delays which he maintained clutter procedures in regular courts of law.

Proof of "tremendous price discrimination in favor of circuits versus independents," Myers said, are "perfectly overwhelming," although he did not supply any details. These various observations were made without resort to a prepared text and followed a 30-minute reading of an address in which he reviewed and interpreted the lower court and Supreme Court decision in the Paramount case, *et al.*

The Supreme Court decision has dropped a job of magnitude in the lower court's lap, he continued. Had the highest court specifically stated which theatres are to be divorced and which retained, Myers felt, an order would have been entered by this time.

'Horsetrading' on RKO

Insofar as the RKO splitup is concerned, Myers' position was that the consent decree signed in that instance actually provided for divorcement although not as drastic as litigated orders in other anti-trust cases had set forth. He said he recognized a "little horsetrading" had crept in but he was not too critical on the ground that "It is present in all settlements." In any event, he added, RKO has gone through the meat grinder and I cannot believe that the others will fare any better."

The anticipated criticism of National Screen Service developed. Complaints over service, prices and general treatment were registered by delegates from Missouri, Illinois, Kansas, Indiana, Ohio, Pennsylvania and Wisconsin. The upshot of a long parade of beefs was a willingness expressed by George F. Dembow, NSS general sales manager, to meet an Allied committee, the personnel of which was not named, in an effort to reach an accord.

Benjamin Berger of Minneapolis got around late to a discussion of the Smith-Berger conciliation plan. He launched into a vitriolic tirade against the distributors and their general sales managers, with the exception of A. W. Smith, Jr., of 20th Century-Fox, whom he described as the only one who had been willing to cooperate with Allied by discussing problems around the same table. "I think he is sincere and I feel independent exhibitors owe him a vote of thanks," said Berger.

Sees TOA as 'Puppet'

Although he had played a key part in launching territorial conciliation with Smith, Berger said he had voted with the Allied board in deferring national action at this juncture.

To him, Theatre Owners of America is a "puppet" of the producers who ought to abandon it and finally acknowledge that Allied is the organization of exhibitors with whom they ought to deal.

H. A. Cole of Texas was named chairman of the committee to discuss forced percentage selling with company heads. His confreres will be Sidney Samuelson, Pennsylvania; Charles Niles, Iowa; Jack Kirsch, Illinois, and Martin Smith, Ohio.

In 1949, Allied will wage a national membership drive in honor of Myers. Trueman Rembusch, national treasurer, reported practically all units had paid dues to the end of the year and similarly have Allied subscribers to the Caravan.

Tonight, the banquet took on the aura of a tribute to Allied stalwarts down through the years.

TOA, PCCITO

(*Continued from page* 1)

terday his organization's represen tive will participate in the talks w an "open mind."

PCCITO executive Hugh Br and TOA president Arthur Lockwo who received personal invitati from Johnston, will be unable to tend, but will be represented. Br is committed to attend conferences Portland, Ore., at that time, a Lockwood will be in Washing n.

Will Name New PCCITO Hea

HOLLYWOOD, Dec. 1.—Trustees the Pacific Coast Conference of In pendent Theatre Owners are expect to appoint at their February meeti in Portland a successor to Robert Poole, whose resignation as executi secretary became effective today.

Griffith Trial

(*Continued from page* 1)

told the court he tried to line up pi tures from the eight major distrib tors in 1936 and 1937, but none wou negotiate with him.

Dennis Scaling of Lubbock testifi again today at the start of the sessio attempting to support his assertion yesterday that he was forced to se the Fair in Plainview, Texas, becaus of inability to buy product.

Cole vs. MGM

(*Continued from page* 1)

told them it didn't make any differenc to me what a man's politics are. A that matters is that you are a goo screen writer." Katz added that H J. Mannix later telephoned Cole an notified him he was discharged "o orders from the East."

Illinois Allied Unit's Sixth Anniversary

CHICAGO, Dec 1. — A celebration commemorating the sixth anniversary of Illinois Allied's buying and booking organization, headed by Jack Kirsch, is expected to be attended by some 600 industry representatives at the Chez Paree Restaurant here on Dec. 16.



Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

64. NO. 107 NEW YORK, U. S. A., FRIDAY, DECEMBER 3, 1948 TEN CENTS

Put Exchange Pay Hike Bid At $1½-Million

Shorter Work-Week Also Among New 'IA' Demands

Wage demands being drafted by IATSE international representatives here, as the basis for negotiations on a new contract for 6,300 exchange workers in the 32 exchange centers will begin officially next week, include at least a 15 per cent general pay increase to top a similar one granted by the distributors last year, according to usually well-informed labor sources. Such an increase would add at least $1,500,000 to the approximately $1,719,000 won by the union last February, marking a payroll rise of some $3,219,000 in two years.

Said to rate as an equally important goal with the union's negotiators is a cut in the work week from 40 hours to 37½ in order to increase employment.

The distributors' negotiating committee, composed of labor relations chiefs of nine companies, has been meeting here all week to draft an

(*Continued on page 3*)

Discuss Divestiture OfM.&N.H., W.Mass.

BOSTON, Dec. 2.—Discussions concerning disposal of Paramount's interests in Maine & New Hampshire Theatres and Western Massachusetts Theatres have been undertaken and are continuing.

Paramount reportedly holds a 49 per cent interest in the 29-theatre Maine and New Hampshire circuit, of which John J. Ford is general man-

(*Continued on page 3*)

Judge Hits Pace of Griffith Re-hearing

OKLAHOMA CITY, Dec. 2.—With Preston E. Smith, operator of five theatres in Lubbock, Texas, in opposition to seven Griffith affiliates, on the stand today, the pace of the re-hearing of the Griffith anti-trust case drew a rebuke from Judge Edgar Vaught who remarked that "it will take two or three years to get through this at the rate we are going."

The jurist's remark came after he had sustained an objection by Charles

(*Continued on page 3*)

Parliament Votes Approval of Film Finance Corp. Bill

LONDON, Dec. 2.—Parliament's approval of the Film Finance Corporation bill under which $20,000,000 of government money is being made available for independent production was voted following House of Commons debate on the measure today.

Opposition speakers decided not to fight the bill and limited themselves to claims that under the bill taxpayers' money is committed to hazardous use. Opponents said, in consequence, they want the advice of a committee of experts to be made available to the Film Finance Corp. on the business soundness of the films which it proposes to finance.

In this way, they said, public money could be protected and artistic quality of the films might be raised.

In moving for a second reading in

(*Continued on page 6*)

B.B.C.'s Video Film Terms Unacceptable

LONDON, Dec. 2.—The film industry's one year experimental television agreement with British Broadcasting Corp. ran into complications when BBC revealed the films it wants to televise must not be older than 12 to 18 months.

Yet another snag was encountered when BBC disclosed its proposed rental terms for the films. They are wholly unacceptable to distributors. Also, Americans here say they do not know whether television rights to

(*Continued on page 6*)

Crosby, Paramount in 7-Year Deal for 18

Hollywood, Dec. 2.—Contract giving Paramount exclusive rights to Bing Crosby's screen services for seven years has been signed here. The deal was negotiated by Everett Crosby for Bing Crosby Enterprises and calls for 18 pictures during the period with Crosby owning a participating interest in eight of them.

'O'Donnell Plane' To Dallas Today

DALLAS, Dec. 2.—Leaders from every branch of the film industry will join in honoring Robert J. O'Donnell, chief barker of Variety Clubs International, at a testimonial dinner at the Baker Hotel here Saturday night. O'Donnell, who is serving his sixth term as Variety chief, is vice-president and general manager of Interstate Theatres.

George Murphy will be master-of-ceremonies. Bob Hope is expected to head the entertainment program.

Scheduled to arrive here from New York tomorrow night on a chartered plane are: Robert Mochrie, William Zimmerman, L. J. Schlaifer, William White, Maurice Maurer, Harold Hoffman, Harold Friedman, J. W. Armacost, Gradwell Sears, Arthur Jeffrey, Ted Gamble, Sol Schwartz, Leonard Goldenson, William Key, Ted O'Shea, Charles Reagan, Murray Weiss, Tom Connors, Max Cohen, Herman Robbins, William Brenner, Paul Lazarus,

(*Continued on page 6*)

See Rembusch Next Head of Allied States

Annual Election Is Due At Board Meet Jan. 28-29

By RED KANN

NEW ORLEANS, Dec. 2.—Trueman Rembusch, president of Associated Theatre Owners of Indiana and currently treasurer of Allied States, is seen in line for the presidency of the national organization. He would succeed William L. Ainsworth of Wisconsin. The election would be voted by the board of directors at its annual meeting slated for Washington Jan. 28-29.

There is nothing to adduce by way of proof substantiating this prediction, but as the directors and delegates to the Allied convention left the Roosevelt Hotel throughout the day for their respective home cities, some of them carried from New Orleans impressions plus an occasional conviction that the decision for Rembusch was practically "in the bag." The fact that he was named to represent Allied at the MPAA-industry meet-

(*Continued on page 3*)

Parkhurst Manager Of Kans.-Mo. Allied

KANSAS CITY, Dec. 2.—C. M. (Parky) Parkhurst, salesman of Republic-Midwest Film Distributors, is resigning to become general manager of Allied Independent Theatre Owners of Kansas and Missouri Jan. 1, to succeed Jack Stewart, the first general manager of this new unit of Allied.

Parkhurst has been with the Republic-Midwest organization for 20 years and was previously branch man-

(*Continued on page 3*)

Promotional Group To Aid 'PR' Shorts

A public relations committee was named here yesterday to work on the all-industry film series on which all phases of the film industry are said to be cooperating.

At a meeting of the Advertising and Publicity Directors Committee of the Motion Picture Association of America, and circuit publicity heads, the following were named:

Stanley Shuford, Paramount, chair-

(*Continued on page 6*)

Johnston Sees Decreased Remittances Next Year

Planners Talk Cut Of 20 Rank Films

London, Dec. 2.—Although officials of the J. Arthur Rank film organization stated recently that the closing next month of the Islington studio will have no effect on the total output of their production companies, it is noteworthy that Rank's planners now talk of turning out 40 pictures annually and not the 60 which Rank previously talked about.

In the wake of a disclosure early this week by the Motion Picture Association of America that during 1948 remittances from "soft-currency" countries have netted MPAA member companies "several million dollars," MPAA president Eric A. Johnston said here yesterday that he believes dollar income from those territories next year will be less. He declined to expand this statement with actual figures, but said he based his forecast for 1949 on "the continuing tight dollar situation abroad."

Johnston gave this opinion in a press interview which followed an address which he made before a meeting of the New York Chamber of Com-

(*Continued on page 6*)

Personal Mention

GERALD M. MAYER, newly appointed Continental European manager for the Motion Picture Association of America, left here yesterday by plane for Paris to take over his new post.

•

MYRON JOSEPHSON of M-G-M's special services department here will be married to SHEILA WOLFMAN at Franklin Manor in Brooklyn on Sunday.

•

HARRY KALMINE, Warner Theatres president, and I. J. HOFFMAN, theatre executive, are due back in New York over the weekend from a tour of New England.

•

ARTHUR HORNBLOW, JR., M-G-M producer, and his wife will return to the U. S. on this week's sailing of the *SS Queen Mary* from England.

•

GEORGE H. (BUD) ORNSTEIN, United Artists representative in Italy, planed in yesterday from Rome for home office conferences.

•

JAMES MULVEY, president of Samuel Goldwyn Productions, returned to New York yesterday from the Coast.

•

MERVYN LEROY, M-G-M producer-director, and his wife, are due here on Sunday from the Coast.

•

MARK SILVER, United Artists Eastern sales manager, left Boston yesterday for New York.

•

E. Z. WALTERS, Altec Service comptroller, is here from the Coast.

'U' Retrieves 75 Prints from Club

LOS ANGELES, Dec. 2.—Universal's copyright infringement action in Federal Court here against a home-movie rental club was concluded when U.S. Judge Charles C. Cavanah signed a judgment granting Universal a perpetual injunction and directing that it was entitled to recover from the defendant, Donald Reed, all of the 16mm. prints of 75 copyrighted features named in the judgment. Reed claimed he obtained the prints from a star for $10,000, the latter having received them from U-I for personal use.

Haines Heads U. A.'s New Orleans Branch

ATLANTA, Dec. 2.—Bill Haines, former representative for Selznick Releasing Organization in Atlanta, has been appointed branch manager for United Artists in New Orleans.

WB Sales Meet Ends

Two-day sales meeting of Warner district managers was concluded here last night. Ben Kalmenson, distribution vice-president, presided at the sessions. The field men will head back to their respective headquarters today.

Yeshiva U. To Honor Eyssell and Schaefer

Gus Eyssell, president of Radio City Music Hall, and George Schaefer, Enterprise's distribution head, will receive certificates of merit cast in bronze, at Yeshiva University's annual dinner on Dec. 12th in the Hotel Astor.

The plaques will honor both for their "many years of service to the institution as chairmen of the Motion Picture Industry Scholarship Fund," which was headed for 10 years by Schaefer and is now headed by Eyssell. It provides scholarships for needy students.

Lockwood Would Send Gamble to Coast Meet

NEW ORLEANS, Dec. 2.—If he is unable to accept Eric Johnston's invitation to represent Theatre Owners of America at the industry meetings of the MPAA in Hollywood Jan. 26-28, Ted R. Gamble will be his alternate, Arthur H. Lockwood, TOA president, said today.

Lockwood is here along with Herman A. Levy, TOA general counsel, en route to Dallas where both will attend the Variety Club dinner for Robert J. O'Donnell at the Baker Hotel Saturday evening. Thereafter they will attend the MPTOA of Oklahoma convention in Oklahoma City Dec. 6-7.

Boston Variety Plans Dinner for Lockwood

BOSTON, Dec. 2.—The Boston Variety Club is planning a testimonial dinner in honor of Arthur Lockwood, Theatre Owners of America president, on Jan. 11 at the Copley Plaza Hotel.

Boston Variety officers for 1948-1949 are: E. Harold Stoneman, chief barker; Louis Gordon, first assistant barker; Samuel Pinanski, second assistant; Louis Richmond, treasurer; John Dervin, property master, and William Koster, executive director.

To Honor M. A. Mooney

CLEVELAND, Dec. 2. — Milton A. Mooney, outgoing chief barker of the local Variety Club, will be honored at a testimonial dinner by the tent early next year. Date of the affair is contingent upon his return from a vacation cruise. Nate Schultz and Nat Wolf have been named co-chairmen in charge of arrangements.

Meanwhile, the following were elected to the 1949 crew (board): Lou Ratener, I. J. Schmertz, Irwin Shenker, Jerry Wechsler, Irwin Pollard, Sanford Leavitt, Milton Grant, Nat Barach, Jack Essick, Ray Schmertz and Manny Stutz. I. J. Schmertz and Ratener were elected delegates to the Variety International convention, with Shenker and Jerry Friedlander as alternates.

Shift AA-Mono. Office

Allied Artists-Monogram executive offices in New York will be moved tomorrow to 1560 Broadway, the building in which the Monogram International office is located. New York exchange operations will continue from the Film Center Building on Ninth Avenue.

'Song' Is Banned in Memphis as 'Bawdy'

MEMPHIS, Dec. 2.—Samuel Goldwyn's "A Song Is Born," an RKO Radio release, has been banned in Memphis on the grounds that it is "inimical to the public welfare."

Lloyd T. Binford, chairman of Memphis and Shelby County Board of Censors, today said the board unanimously voted against the showing of the picture unless a number of deletions are made. Other board members are Avery Blakeney and Mrs. Sid Law.

"Frankly, the picture has a gambling scene," Binford said. "It shows a rough, rowdy bunch of musicians of both colors. There is no segregation.

"The musicians are raising the dickens. It is the same thing as a previous picture. Jazz and the blues were actually born in Memphis, anyway, down on Beale Street. There is too much French in New Orleans for jazz. It's a rough, bawdy, noisy picture dealing with band musicians. In general, a mixed up jamboree."

Executives at both RKO Radio and the Goldwyn company in New York were not available for comment on the Memphis action when efforts were made to reach them last night.

8 Meetings Today For Depinet Drive

The 12th annual "Ned Depinet Sales Drive" will get under way today with preliminary meetings in the Chicago, Atlanta, New Haven, Cleveland, Washington, Memphis, Montreal and St. John RKO Radio exchanges. The drive, as announced by Robert Mochrie, sales vice-president, will extend over a 20-week period.

The 11 RKO Radio district sales managers will act as drive captains in their respective territories.

A. H. Eisenstadt, 74, Life Member of ITOA

Funeral services for A. Herman Eisenstadt, 74, veteran exhibitor here, and honorary life member of the Independent Theatre Owners Association of New York, will be held here today at Flatbush Memorial Chapel in Brooklyn. Eisenstadt, a member of the board of the original Theatre Owners Chamber of Commerce, died in his sleep Wednesday night.

Surviving are the widow, Ethel, and two daughters, Beatrice and Helen.

Niblo Estate to Family

LOS ANGELES, Dec. 2.—The late Fred Niblo, veteran director, left most of his $100,000 estate to the widow and four children, it was disclosed in the will filed for probate yesterday by Mrs. Niblo.

McCarey Rites Today

LOS ANGELES, Dec. 2.—Requiem High Mass will be sung tomorrow morning at St. Paul of Apostles Church for Ray McCarey, 44, veteran director, who died yesterday morning. He was the brother of Leo McCarey.

RADIO CITY MUSIC HALL
Rockefeller Center
"HILLS OF HOME"
EDMUND GWENN • DONALD CRISP
TOM DRAKE • JANET LEIGH
and LASSIE
Color by TECHNICOLOR
A Metro-Goldwyn-Mayer Picture
SPECTACULAR STAGE PRESENTATION

JOAN OF ARC
INGRID BERGMAN
VICTORIA B'WAY at 46th ST
COLOR BY TECHNICOLOR
CAST OF THOUSANDS

DARRYL F. ZANUCK presents
OLIVIA de HAVILLAND
the Snake Pit
Directed by ANATOLE LITVAK • Produced by ANATOLE LITVAK & ROBERT BASSLER
20th CENTURY FOX
RIVOLI B'way & 49th Street

Paramount presents
JOHN LUND • WANDA HENDRIX
BARRY FITZGERALD • MONTY WOOLLEY
in "Miss Tatlock's Millions"
in Person
STAN KENTON And His Orchestra
featuring JUNE CHRISTY
and RED BUTTONS
RAUL & EVA REYES
and NELLIE LUTCHER
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

SAMUEL GOLDWYN presents
DANNY KAYE
VIRGINIA MAYO
"A SONG IS BORN"
COLOR BY TECHNICOLOR
Broadway at 45th Street ASTOR Cont. from 8:45 AM Midnight Show

J. Arthur Rank presents
"THE RED SHOES"
Color by Technicolor
BIJOU THEATER, 45th Street West of Broadway
All Seats Reserved, Mail Orders
Twice Daily
Extra Matinees Saturday and Sunday
Late Show Saturday Evening 11:30
An EAGLE LION FILM Release

Robert Mitchum
Barbara Bel Geddes
Robert Preston
in
BLOOD ON THE MOON
BRANDT'S GLOBE
BROADWAY AT 46TH STREET

BETTY GRABLE • DAN DAILEY
"WHEN MY BABY SMILES AT ME"
in Technicolor
A Twentieth Century-Fox Picture
ON STAGE: MICKEY ROONEY —
Rosario & Antonio — Minevitch's Raseals
ROXY 7th Ave. & 50th St.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

Luncheon Launches USO Reactivation

An entertainment industry luncheon marking the reactivation of the USO and urging support of the campaign committee's drive for funds was held here yesterday.

James Sauter, chairman of the USO New York entertainment industry campaign committee, cited the role that industry entertainers have played in past USO endeavors.

Walter Hoving, chairman of the board of both USO and Veteran's Hospital Camp Shows, asserted that USO has joined with show business to assume "complete responsibility for the financial needs of the organization that your industry set up" to bring cheer and help to service men.

Dr. Lindsley F. Kimball, president of USO; Gen. Francis R. Kerr, assistant administrator for special services in the Veterans Administration; John J. Raskob, general chairman of the campaign committee, were among other speakers.

Parkhurst Named

(*Continued from page* 1)

ager at Omaha. He started with Pathe in 1916 as a booker.

Fred Herbst continues as buyer and booker for the group.

The Kansas-Missouri unit will hold a meeting for independents on Dec. 7 here, with William L. Ainsworth, Allied's national president, and Charles Niles, Allied general manager for Iowa-Nebraska, as featured speakers. Reports on the New Orleans national convention will be given.

Rembusch and Allied

(*Continued from page* 1)

ings in Hollywood Jan. 26-28, on the invitation of Eric Johnston, MPAA president, was not without significance.

At the banquet which brought the convention to a close last night, actor George Murphy said steps, within legal limitations, will be undertaken to curb misconduct among film players. Education and persuasion appear to be the best methods, he added, in pointing out that he had been authorized to bring such a message here from M-G-M executives in Hollywood and New York and from other companies as well. While Murphy had unquestioned authority to speak on behalf of M-G-M, there was considerable doubt the morning after if he had not taken in far more territory than was justified.

Allied Names Committee For 'Brotherhood Week'

Maxwell Alderman of New Haven, Edward Lachman of Morristown, N. J., and Nathan Yamins of Boston have been named by Allied States to serve on a committee to aid the industry's participation in "Brotherhood Week," Feb. 20-27.

KMTA To Publicize Arbitration Unit

KANSAS CITY, Dec. 2.—A promotional campaign is being applied by the Kansas Missouri Theatres Association's board of directors to its recently appointed arbitration committee which will give assistance to all exhibitors in this area, to prevent litigation in courts.

Griffith Re-hearing

(*Continued from page* 1)

B. Cochran, Griffith attorney, who acted to bar submission of a summary of Smith's correspondence with film distributors purporting to show his difficulties in securing film for his State Theatre when it opened in 1946. Judge Vaught agreed with Cochran that the letters themselves, rather than the summary, would be the best evidence.

Smith also related what he described as disadvantages to him in commitments by the distributors to the Griffith circuits.

Today was the third day of the rehearing ordered by the Supreme Court in its reversal of Judge Vaught's decision and demanding a settlement which would prevent anti-trust violations by Griffith.

George P. Skouras Heads Scout Drive

George P. Skouras, president of Skouras Theatres, and Emil Friedlander, chairman of the board of Dazian's, Inc., are chairman and co-chairman, respectively, of the amusement industry division for the Greater New York Councils of Boy Scouts of America's 1949 finance drive to raise $2,000,000.

Membership of the amusement industry division follows: Si Fabian, Nat Kalshine, Mannie Sachs, Joseph Newman, Sol Strassberg, Sol Schwartz, Joe Vogel, Harry Brandt, Joe Seider.

Also, Fred Schwartz, William A. White, Jack Mills, Deems Taylor, Abe Oleman, George Dembow, Sam Schlein, Morton Sunshine, Max Wolf, Chick Lewis, Bill Corum, Gus Eyssell, Sam Rinzler, Joe Jolson, Alan Freedman, Frank Meyer, Jinx Falkenburg, Tex McCrary.

Divestiture

(*Continued from page* 1)

ager. Joseph P. Kennedy, former Ambassador to Great Britain and one-time head of Film Booking Offices of America, Keith-Albee-Orpheum Corp. and Pathe Exchange, Inc., is said to own 51 per cent.

Ford confirmed recently that talks had been held but declined to make any prediction on their outcome.

Sale of Paramount's minority interest in Western Massachusett's 17 theatres presumably would be to Samuel Goldstein of Springfield, Mass., present operator and part owner.

As previously reported, negotiations by M. and P. Theatres for acquisition of Paramount's interest in Netco Theatres are continuing. Divestiture of M. and P. from Paramount is not involved in the negotiations.

Exchange Pay Hike

(*Continued from page* 1)

overall policy which will be adhered to in negotiations with the "IA." A spokesman for the group, which is under the chairmanship of Clarence Hill of 20th Century-Fox, has indicated that policy will be sufficiently established in time for next week's meeting.

The exchange workers' 1948 contracts expired last Wednesday, but are subject to automatic extension until agreement on the new pacts is reached.

21 Named in Altec Expansion Program

A series of organizational changes aimed at widening national coverage of Altec Service manpower, which started last month with the creation of an Eastern division, has now been completed with the establishment of Southern and Central divisions, according to an announcement by H. M. Bessey, Altec executive vice-president. Changes are immediate.

The Central division, embracing the former Chicago and Dallas districts, will have R. Hilton as manager; field offices are in Chicago, Minneapolis, Kansas City and Dallas. R. C. Gray, O. E. Maxwell, E. A. Briggs, E. C. Shriver, T. J. Canavan, and C. W. A. MacCormack were named sales representatives, and J. B. Pesek, C. W. Scott, S. J. Warkoczewski and C. J. Zern were appointed field managers. D. L. Turner is business manager.

The Southern division, taking in the former Atlanta, Cincinnati and Detroit districts, will have field offices in those three cities. M. G. Thomas is division manager, and F. B. Mewborn business manager. F. C. Dickely, F. W. Cocklin, F. S. Barnes and O. G. Taylor were named sales representatives, and J. I. Mather, J. R. Brown and C. C. Kauffman were appointed field managers.

Hear Arguments in Case vs. Salesmen

WASHINGTON, Dec. 2.—Further argument was heard here today by District Court Judge Matthew F. McGuire on the motion of two theatre-owning film salesmen to be dismissed as defendants in the action brought by the Center Theatre of Centreville, Md., against them and four distributors. Judge McGuire took the motion under advisement.

The motion was first argued some months ago, and on Nov. 23 McGuire entered a finding denying the motion and asked counsel for the Center to draw up a final order. Before the order could be issued, however, E. W. Mollohan, Jr., attorney for the two salesmen defendants, F. B. Klein and Charles Wingfield, asked the court to hear further argument.

Production Is Off Slightly; 26 in Work

HOLLYWOOD, Dec. 2.—The production tally dipped to 26 from last week's 30. Four films were launched, while eight were finished.

Shooting started on "In the Good Old Summertime," M-G-M; "The Hidout," Republic; "It's Only Money," RKO Radio; "Dan Patch" (Frank), United Artists.

Shooting finished on "Home in San Antone," Columbia; "Tune Clipper" and "Gun Runner," Monogram; "Montana Belle" and "The Duke of Chicago," Republic; "She Wore a Yellow Ribbon" (Argosy), RKO Radio; "I Shot Jesse James" (Lippert), Screen Guild; "Down to the Sea in Ships," 20th Century-Fox.



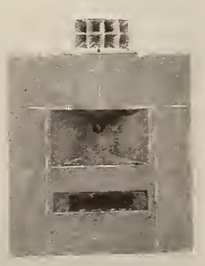
more than 5,000 major theatres in the world use

"Voice of the Theatre"
SPEAKER SYSTEMS

To make the most of the product you play—make the most of the sound on the sound track. "Voice of the Theatre" is a ten year investment in "boxoffice", enables you to get the benefits of future sound track improvements, as well as the utmost quality from today's sound tracks.

☆ ☆ ☆ ☆ ☆ ☆ ☆

There is a "Voice of the Theatre" speaker system for every size theatre. Ask your supply dealer for information about modernizing your present system with "Voice of the Theatre". "Voice of the Theatre" speaker systems are supplied as standard equipment by most leading theatre sound system manufacturers.



161 Sixth Ave., New York 13, N. Y.

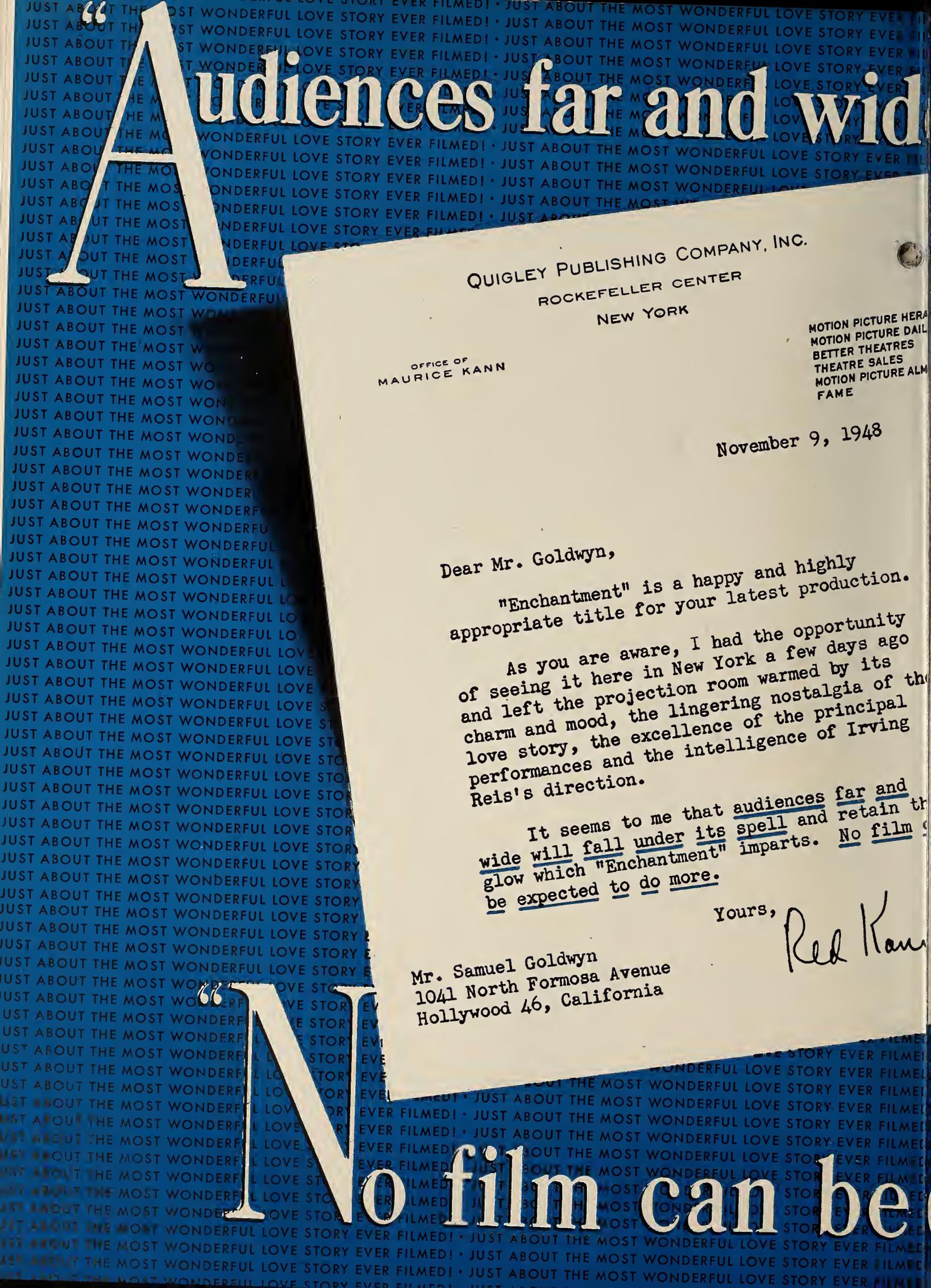
ALTEC LANSING CORPORATION

1161 N. Vine St., Hollywood 38, Calif.

PRESS AGENT

Wanted—experienced theatre press agent to do publicity for group of 12 theatres 50 miles from New York City. Must know ad make-up, lobby displays and exploitation. State age, experience, reference and minimum salary.

BOX NO. 420 — M. P. DAILY
1270 SIXTH AVE., NEW YORK 20, N. Y.


"Audiences far and wid
QUIGLEY PUBLISHING COMPANY, INC.
ROCKEFELLER CENTER
NEW YORK
OFFICE OF
MAURICE KANN
MOTION PICTURE HERA
MOTION PICTURE DAIL
BETTER THEATRES
THEATRE SALES
MOTION PICTURE ALM
FAME
November 9, 1948
Dear Mr. Goldwyn,
"Enchantment" is a happy and highly appropriate title for your latest production.
As you are aware, I had the opportunity of seeing it here in New York a few days ago and left the projection room warmed by its charm and mood, the lingering nostalgia of th love story, the excellence of the principal performances and the intelligence of Irving Reis's direction.
It seems to me that audiences far and wide will fall under its spell and retain th glow which "Enchantment" imparts. No film be expected to do more.
Yours,
Red Kann
Mr. Samuel Goldwyn
1041 North Formosa Avenue
Hollywood 46, California
"No film can be

will fall under its spell!"...

SAMUEL GOLDWYN *PRESENTS*



JUST ABOUT THE MOST WONDERFUL LOVE STORY EVER FILMED!

"Enchantment"

expected to do more!"

Released by RKO Radio Pictures Inc.

Says Films 'Muffed' 1st Chance at Video

Position of the motion picture industry in television today is weak from the standpoint of obtaining a permanent part of the "radio spectrum for theatre television" purposes because it took no concrete interest in the experimental frequencies allocated by the Federal Communications Commission, it was declared at the American Television Society's Film Forum at the Museum of Modern Art here Wednesday by Donald Hyndman, chairman of the theatre television committee of the Society of Motion Picture Engineers.

'O'Donnell Plane'

(*Continued from page* 1)

Jr., and Harry Thomas. The group is scheduled to leave La Guardia Airport, New York, tomorrow afternoon.

Others expected to attend among the scores who have made reservations are: Ned Depinet, Sam Dembow, Charles Berns, Bernard Kranze, Robert Fowler, Norman Ayers, Ben Kalmenson, Rudy Berger, William Scully, Maurice Bergman, Red Kann, Jim Donahue, William Thomas, William Pine, A. W. Schwalberg, Charles Boasberg, Herbert Yates, James Grainger, Kurt Newmann, Harold Mirisch, Chick Lewis, Steve Broidy, William Heineman, Abe Montague, George Schaefer, A. W. Smith, Jr., Nathan Golden, Nathan Sandler, Oscar Oldknow and Turk Connors.

Bonded to Handle Republic Prints

PHILADELPHIA, Dec. 2. — Bonded Film Storage will handle physical distribution in New York for Republic Pictures, starting Saturday, it was announced here by William J. Clark, executive vice-president of National Film Service. Bonded is New York representative for National.

Johnston Sees

(*Continued from page* 1)

merce. Johnston was president of the United States Chamber of Commerce before becoming MPAA chief.

Ultimately, Johnston said, the Economic Cooperation Administration's activities will bring about a substantial and steady flow of film company remittances, but not before the end of 1949. It has been estimated that some $30,000,000 in U.S. film companies' earnings are still frozen abroad.

Yesterday's speech was a forthright, facts-and-figures analysis of Europe's present economy, and a warning to the 400 businessmen present that they must avoid the economic pitfalls into which Europe's businessmen have stumbled.

Johnston expressed the opinion, arrived at during his recent "behind-the-iron-curtain" trip in Europe, that production of food, clothing, etc., in the Soviet Union has increased in the last four years, but that the standard of living in Soviet satellite countries has diminished meanwhile due to the "drains" exercised by the Russians.

Johnston said he believes American businessmen can succeed "in keeping government out of business" by reaffirming the importance of a capitalist economy by increased production.

B.B.C.'s Video Film

(*Continued from page* 1)

their films are available and have referred the subject to their home offices.

Meanwhile, British exhibitors are eyeing the developments warily, asserting that their interests may be jeopardized by broadcasts to domestic receivers of films whose theatre life has not been exhausted.

Efforts are being made for an early resumption of the industry-BBC television film talks, mainly because J. Arthur Rank is anxious to begin television shows in his selected theatres next month.

UK Finance Bill

(*Continued from page* 1)

Commons of the finance measure, Harold Wilson, president of the Board of Trade, reiterated the familiar arguments concerning the present British production situation to demonstrate the need for the bill. He referred to the desirability of having a healthy, growing British film industry, capable of standing on its own because it could do much to portray the British way of life around the world and could contribute to reducing the outward flow of dollars.

Proper exhibition opportunities will be afforded by the new Quota Act for all government-financed films, Wilson said. He claimed that the quota already has greatly stimulated production but admitted that a shortage of "angels" has distressed independent production.

He emphasized that creation of the Film Finance Corp. is an emergency measure which would operate only until the industry reverts to normal financing methods. He denied with emphasis that the government has any intention of subsidizing the film industry. He said all loans made will be repayable in five years and that new lending will cease after five years.

Wilson cited the problem of high production costs, calling it "an occupational disease caught like the plague from overseas." He said he has appointed a "working committee" of producers and unions to examine the cost problem and make a report by the end of January.

He said a contributory reason for the production slump was that American production here had not reached anticipated levels but said he was glad to have the opportunity of correcting any impression that Americans had let the British industry down in this regard.

Tom O'Brien, Member of Parliament and general secretary of the National Association of Theatrical and Kine Employes, surprised Commons with a forthright attack on exhibitors, claiming they contribute nothing to the production industry. O'Brien said he welcomed the appointment of the working committee and hoped that it might find some means of reducing costs.

To Aid 'PR' Shorts

(*Continued from page* 1)

man, and Maurice Bergman, Universal, to represent the Ad-Publicity Directors Committee; Harry Goldberg, Warner, and Ernest Emerling, Loew's, to represent affiliated circuits; Harry Michalson, RKO; Peter Levathes, 20th Century-Fox, with Oscar Morgan, of Paramount, as alterante, to represent distributors; Kenneth Clark and Tom Waller, to represent the MPAA.

At yesterday's meeting, Robert Mochrie, general sales manager of RKO Radio and chairman of the National Distribution Committee of the Motion Picture Industry, discussed plans for the distribution of the short subjects.

$30,000 Damage in Film Truck Crash

BOSTON, Dec. 2. — A film truck collision at Rowley, Mass., damaged $30,000 worth of film destined for Maine theatres. The truck, owned by Interstate Film Dispatch of Somerville, Mass., was badly damaged, and its driver, Arthur LeBeau, was critically hurt.

Brought thrillingly to the screen by the makers of "Canon City"!



starring
RICHARD BASEHART • SCOTT "CANON CITY" BRADY
A BRYAN FOY Production • An EAGLE LION FILMS Presentation

"Will rank with 'T-Men' and 'Canon City'!" —Variety

GIVE NOW

THE NEED IS GREATER

Federation
OF JEWISH PHILANTHROPIES OF AMERICA
71 W. 47th St., New York 19, N. Y.

DO NOT REMOVE

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 84. NO. 108 NEW YORK, U.S.A., MONDAY, DECEMBER 6, 1948 TEN CENTS

National Film 'Clean-Up' Is Slated by PTA

8-Point Program Includes Also Comic Books, Radio

Word reaching New York from various parts of the country at the weekend indicates that the National Congress of Parents and Teachers has rallied its 4,500,000 members in a drive against "unwholesome comic books, motion pictures and radio programs." Motion Picture Association of America, meanwhile, said it is "eying the situation carefully."

An "action committee" of five, set up by NCPT headquarters in Chicago, and headed by Mrs. Joseph W. Eshelman of Birmingham, has urged the organization's various state congresses to take specific steps to implement the national organization's eight-point program of action.

Meanwhile, it is understood, a national council of organizations, includ-

(*Continued on page 4*)

Chicago Drive-ins Start Trust Action

CHICAGO, Dec. 5.—An anti-trust suit was filed on Friday in U. S. District Court here by Fink and Gandell, operators of two drive-in theatres in this area, which asks for injunctive relief against five distributor and circuit defendants. Suit charges that the plaintiff's North Avenue Outdoor and Harlem Avenue Outdoor theatres were denied the privilege of competing for films for first subsequent-run showing after their Loop run.

Both drive-ins recently closed for the winter, having played third-run during the summer. Defendants are Paramount, Universal, Balaban and Katz, and Warner. Plaintiff's attorney is Seymour Simon.

Rodgers Opens MGM Sales Parley Today

Discussion of general conditions and the company's current and forthcoming releases will be spotlighted at the five-day conference of M-G-M field sales managers and their territorial and home office assistants which will be opened here today at the Hotel Astor by William F. Rodgers, sales vice-president. The company recently

(*Continued on page 3*)

French Reject U. K. Appeal Against Quota

LONDON, Dec. 5.—The French government has refused adamantly to increase the low minimum quota set in France on British film imports shown during the year ending June 30, 1949. The reaction here would seem to indicate that the British find it easier to dish out quota restrictions than to take them.

The French refusal, it is reported by the three British film producers' representatives sent to Paris to secure an easing of the restriction, was attributed by that government to film

(*Continued on page 3*)

CEA Is Adamant on Rank's Film Terms

LONDON, Dec. 5. — Cinematograph Exhibitors Association thus far has kept the British Film Producers Association outside its dispute with J. Arthur Rank over film rentals and sales practices of Rank's General Film Distributors by declining to attend meetings on the subject sought by the BFPA.

After several meetings with Rank, the CEA won an agreement for a sliding scale of rental terms rising from 33 1/3 per cent to 50 per cent with intermediate break figures for the exhibitor's protection. Rank also undertook to extend small-exhibitor terms to theatres grossing a maximum of $600 weekly, provided other distributors agreed. The exhibitors, in turn,

(*Continued on page 3*)

Griffith Trial Hears Of Testimony Error

OKLAHOMA CITY, Dec. 5.—A government witness in the Griffith hearing which started here last week before Judge Edgar S. Vaught after the Supreme Court reversed his decision absolving the Griffith circuit of anti-trust actions admitted on Friday that he had testified falsely in the trial three years ago.

Malcolm Geiger, who managed the Bays Theatre in Blackwell, Okla., in 1938-39, for George Laham of Wichita, Kan., said that after many hours of questioning in 1945 he was confused. He made this statement after Charles Cochran, Griffith attorney, read the record of the earlier trial to

(*Continued on page 4*)

Taxes in Maryland Are Hiked to 25%

Baltimore, Dec. 5—Effective Feb. 1, an additional 4½ per cent tax on theatre admissions will be added to the one-half per cent now collected by the state and remitted to Baltimore County. This is a result of an unprecedented tax boost imposed by the Baltimore County Commissioners. The change does not apply to Baltimore, which is not located in the county.

With the Federal tax of 20 per cent and Maryland's new five per cent tax, theatres in the state now collect ticket taxes of 25 per cent, excluding Baltimore, which collects 20½ per cent.

State Dept. Program May Be Transferred

WASHINGTON, Dec. 5.—Transfer of the U. S. State Department's overseas information program, including the international motion picture division, to a new semi-public foundation or corporation has been recommended to the Hoover Commission.

The commission, which will make recommendations to the President and Congress in January on reorganizing the executive branch of the government, received the report from a special task force of the State Department. The Department would keep control of over-all policy and planning on the information program, but actual operation would be vested in the new corporation.

Activities of the corporation would be paid for largely with government funds, but private citizens would compose the board of directors running the enterprise.

State Department films are now reaching 120,000,000 persons in 50 foreign countries each year.

Wright to Toledo For Trust Evidence

WASHINGTON, Dec. 5.—Justice Department attorney Robert Wright left for Toledo today to take depositions for use in the Paramount trust case. Wright will take testimony from the operators of the Paramount Theatre there.

He said that the independents who bought the theatre from Paramount and now operate it allegedly have been deprived of Paramount product, and he said that he believes such evidence will be useful in presenting his case.

$100,000,000 Remittances in 1948 Expected

U. S. Says $124,000,000 Was Received in 1947

WASHINGTON, Dec. 5. — The Commerce Department reported today that U. S. motion picture companies during 1947 received $124,000,000 in remittances from abroad for exhibition of their films, a decline of only about 10 per cent from 1946's record $138,000,000.

Commerce estimates that remittances this year would probably drop to about $100,000,000. The decrease in remittances from Britain was the chief factor for the drop in both years.

The figures, the Department says, represent the American companies' share of income received from film rentals in foreign lands after payment of overseas expenses. They do not include returns on investments abroad, which might add several million dollars to the figures in each year.

"Contributing to the decline," Commerce reported, "was a marked decrease in American film receipts in

(*Continued on page 3*)

Hundreds in Tribute To R. J. O'Donnell

Dallas, Dec. 5.—Hundreds from all branches of amusement, and from all walks of life, paid tribute here last night at a testimonial dinner in the Hotel Baker to Robert J. (Bob) O'Donnell, sixth-time president of Variety International and general manager of Interstate Theatres of Texas. Scores of congratulatory telegrams from all over the U. S. and cables from abroad were read from a dais studded with "top brass" of business and civic life.



R. J. O'Donnell

Variety Club of Dallas was the direct sponsor of the tribute, but its committees were aided by many outside of its ranks.

Personal Mention

G. L. CARRINGTON, Altec Service vice-president, is here from the Coast.

•

DOUGLAS FAIRBANKS, JR., actor-producer, was in Washington late last week from New York to report to PRESIDENT TRUMAN on his recent visit to Europe. FAIRBANKS is chairman of the Share-through-CARE Committee and vice-president of the American Association for the United Nations.

•

ALBERT SPALTER, president of Spalter International Pictures, is scheduled to leave here tomorrow on the *SS Queen Elizabeth* for a tour of Europe.

•

LYMAN MUNSON, 20th Century-Fox European production chief, has been made a Commander of the Order of the British Empire for his wartime scrvices in the Canadian Army.

•

JEFFREY BERNERD, Allied Artists producer, and his wife are visiting Paris and Rome from London. They are due back on the Coast on Dec. 20.

•

IRA MORAIS, RKO Theatres home office publicist, was married here yesterday to IRENE WEISGOLD. The couple is honeymooning in the South.

•

MURRAY SILVERSTONE, president of 20th Century-Fox International, will return from Europe today aboard the *SS Queen Elizabeth.*

•

JULES LIVINGSTON, Republic salesman in Cleveland, and MRS. LIVINGSTON have become parents of a daughter, BEATRICE.

•

EDWARD T. DOHERTY, Chicago financier and chairman of the board of United International, has arrived on the Coast from Chicago.

•

SI SEADLER, M-G-M advertising head, is due back here today from Hollywood.

•

H. M. RICHEY, M-G-M exhibitor relations head, returned to New York at the weekend from New Orleans.

•

LEN HAMMOND, European director of Movietonews, Inc., has sailed for Paris following a month's stay here.

•

HENRY RONGE, United Artists manager in Panama, is here for home office talks.

Joseph and Lipton Here

John Joseph, Universal-International national director of advertising-publicity, and David A. Lipton, studio coordinator of advertising and promotion, are here from California for a week of conferences on plans for forthcoming U-I releases with William A. Scully, sales vice-president, and Maurice A. Bergman, Eastern advertising-publicity director.

Oklahoma Owners' Meet Opens Today

OKLAHOMA CITY, Dec. 5.—Some 250 exhibitors and more than a dozen national figures are expected here for the annual two-day meeting of Theatre Owners of Oklahoma and Variety Tent No. 22 which opens tomorrow at the Skirvin Hotel. Morris Loewenstein is president of the exhibitor group.

Chief speakers and guests of honor will be Arthur H. Lockwood, Theatre Owners of America president, and Robert J. O'Donnell, chief barker of Variety International.

Others speakers and guests expected to participate in the meeting are: Dave Palfreyman of the Motion Picture Association of America; Nathan D. Golden, Andy W. Smith, Jr., Herman Levy, George Dembow, Col. William C. McCraw, H. M. Richey and Sam Shain. Actor George Murphy will also address the organization.

Threat of a new Oklahoma law which would let cities and towns tax business firms will be among the principal industry problems to be aired.

A delegation from Hollywood will include Bonita Granville, Stuart Erwin, Rod Cameron, Don Castle and Jack Wrather.

Willis Davis Warns of Gov't Encroachment

ATLANTA, Dec. 5.—Pointing out the power of the screen as a propaganda medium, Willis J. Davis, executive of Georgia Theatres, warned against encroachment by the government on commercial recreation, in an address before the Georgia Citizens' Council in Atlanta.

"Should the screens of the nation become propaganda media under a central governmental agency supported by tax money, they would lend themselves readily to government encroachment on individual liberty," said Davis.

Selznick, Eagle-Lion Talk Reissue Deal

HOLLYWOOD, Dec. 5.—An undetermined number of Selznick reissues, dating as far back as "The Prisoner of Zenda," will be distributed by Eagle-Lion if discussions under way for the past several days between the company and David O. Selznick materialize. No new Selznick product would be involved.

It is reliably reported here that the deal will be taken to Film Classics if the talks with E-L break down.

$25,000 Chicago Fire

CHICAGO, Dec. 5.—Damages estimated at $25,000 resulted on Friday when a three-alarm fire swept the 425-seat Bell Theatre, after the house had closed for the evening. Owners are Leon Kaplan and Nathan Fadim.

Circuit Gets FM

WASHINGTON, Dec. 5. — Syndicate Theatres, Inc., has been granted a license by the Federal Communications Commission for a new FM broadcasting station near Columbus, Ind.

Ask Non-Defendants' Trust Depositions

DENVER, Dec. 5.—Cinema Amusements, plaintiff in a trust action against 20th Century-Fox, RKO Radio and Loew's, has served subpoenas on branch managers of non-defendant distributors for depositions on their selling practices as related to the case. Cinema is headed by John Wolfberg.

The three defendants, also served, have moved to quash all subpoenas. The case was filed in U. S. District Court in Wilmington, Del.

Warner Short To Aid N.Y. 'Freedom Train'

ALBANY, N. Y., Dec. 5.—Warner is producing, through its Pathe unit, a one-reel film for showing in theatres in connection with visits of the New York State "Freedom Train" which is scheduled to begin a one-year tour of the state in January, it was disclosed here by Charles Smakwitz, Warner district manager. Walton Ament is directing the film which will dramatize historic events in New York. The state American Legion is paying for prints to be shown in schools.

Frank Folsom Named President of RCA

Upon the recommendation of David Sarnoff, RCA board chairman, directors of the corporation at a meeting here on Friday elected Frank M. Folsom to the presidency, which post Sarnoff also had held. Sarnoff as board chairman will continue as chief executive officer. Folsom has been succeeded as executive vice-president by John G. Wilson, who was vice-president and general manager for RCA in Camden. The changes will become effective on Jan. 1.

Frank and Foote Will Make Three

HOLLYWOOD, Dec. 5.—Producer W. R. Frank and author John Taintor Foote, now co-producing "Dan Patch" for United Artists release, have formed a new partnership under which they will jointly produce three more features.

Skouras Aids Wounded

Stars of show business will appear on the stage of the Skouras Academy of Music, Manhattan, tomorrow night, on a "Stars and Heroes" show launching the *New York Journal-American*-Skouras Theatres war-wounded Christmas fund drive, and at the same time observe Pearl Harbor Day. Under the direction of Skouras' Nick John Matsoukas, 64 Skouras houses in the Metropolitan area will feature special Pearl Harbor Day Memorial services.

RMA To Meet Here

WASHINGTON, Dec. 5.—Radio industry leaders will convene in New York City Tuesday through Thursday for a conference of the Radio Manufacturers Association on industry problems, with the board of directors slated to meet Thursday. Max F. Balcom is president of the RMA.

Newsreel Parade

FIGHTING in China and Madam Chiang Kai-shek's visit here a current newsreel highlights. Var items of human interest round out reels. Complete contents follow:

MOVIETONE NEWS, No. 97 — N tionalists fight Chinese Reds in Such battle. Madame Chiang Kai-shek here. Pre dential committee on European aid. Ro Command show in London. The Wri plane comes home. New plane prop children give their version of ic music. Salmon fishing. Water skiing.

NEWS OF THE DAY, No. 227 China's darkest hour. Jap children's ba goes American. Command Performance London. Squirrel-cage jeep. Water skiin

PARAMOUNT NEWS, No. 30—Flig test proves worth of air brake. Yank Doodle in Tokyo. Ding-dong bell babies a pool. Stocking glamour. Reds clai Suchow.

UNIVERSAL NEWSREEL, No. 201 Reds converging on China's capital. R versible "prop" cuts air descent. Squirr cage jeep. Command Performance in Londo Miss Alaska of 1948. Donald O'Conn crowns "Helen of Troy." Football. Wat skiing.

WARNER PATHE NEWS, No. 32 China at war. People in the news: Madam Chiang Kai-shek; President Truman; form Queen Wilhelmina. Berlin elections. Avi tion. Water skiing. Football.

Modify Boston Award In Clearance Dispute

Appeal of the Boston arbitrator's award in connection with a complain brought by R. and W. Theatres against all five majors has resulted in modi fications of the award, the America Arbitration Association has announced.

The revised award stipulates tha the demand for arbitration, insofar as complainant asks for reduction in the 14-day clearance for the Strand and Premier theatres, Newburyport, Mass., over the Strand, Amesbury, is dismissed. No clearance shall be granted to the Paramount and Colonial theatres, Haverhill, over the Strand, Amesbury, on any pictures with respect to which the availability of the Strand in Amesbury is not less than 14 days after the termination of the first-run at the Strand and Premier, Newburyport. On all other pictures the maximum clearance which may be granted to the Paramount and Colonial, Haverhill, over the Strand, Amesbury, shall be one day.

Plan Documentary Film Festival Here

Association of Documentary and Television Film Cameramen, national unaffiliated labor union, is drafting plans for its first annual documentary film festival here, Arthur Florman, business manager, announced.

The union filed recently with the National Labor Relations Boards affidavits of the union's officers' compliance with the non-Communist provisions of the Taft-Hartley Law.

Legion Pledge on Coast

LOS ANGELES, Dec. 5.—The annual Legion of Decency pledge to refrain from Class C (condemned) motion pictures, was administered at all Masses in Roman Catholic churches in the Los Angeles arch-diocese this morning. It will be administered elsewhere throughout the country next Sunday.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter. Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

Trading Is Light In Company Stock

WASHINGTON, Dec. 5.—In a month marked by very light trading in film company stocks, Albert Warner bought 15,500 shares of Warner common stock during October, and gave away 7,500, increasing his holdings by a net 8,000 shares to 444,200, according to the latest report of the Securities and Exchange Commission on trading by officers and directors in film company stocks. The 7,500 share gift went to the United Jewish Appeal.

David Warfield received 3,510 shares of Loew common as a bequest, bringing his holdings to 24,510 shares.

At Universal, Daniel Sheaffer continued to drop his total, selling 860 shares to leave him with 1,507. Charles D. Prutzman gave away warrants for 2,000 shares of Universal common, leaving him with 6,100 shares and warrants for another 21,250.

Harry Brandt bought 2,000 shares of Trans Lux common. At the end of the month, he had 90,665 shares, his wife had 14,700, Broadyork, Inc., had 1,000 and Harday Inc. had 1,400. William M. Girden bought 100 shares of Trans Lux common, increasing his holdings to 2,500 shares, and Herbert E. Herrman bought 100 shares, increasing his holdings to 5,100 shares.

Hits U.K. Film 'Luxury'

MANCHESTER, England, Dec. 5. — Urging British producers to unite in building up a foreign market for their pictures, John Boulting, producer, director, told the Manchester Cinematurians Club that there are "too many champagne-soaked conventions and too many luxurious offices" in the film industry.

Set Foreign Film Awards

Foreign Film News will make annual awards for the best foreign-language film shown in the U. S., as well as for the best male and female performances, and best direction, Arthur Davis, publisher of the periodical, announces. Judging of the films will be by filmgoers through balloting.

Remittances

(*Continued from page* 1)

the third and fourth quarters of 1947, the result of the temporary cessation of shipments of films to the United Kingdom following the increased British import duty on foreign films imposed in August, 1947. According to British figures, total payments to the United States in 1947 amounted to $56,000,000, compared with $70,000,000 in 1946.

"After the United Kingdom-United States film agreement of March, 1948, film exports to Great Britain were resumed but remittances from that country in 1948 will probably amount to only about $35,000,000 and total receipts from all countries to about $100,000,000."

Prior to 1946, the high in remittances was in 1942, when they hit an estimated $125,000,000, including dollar accumulations from earlier years released by the British in that year. The estimate for 1943 was $114,000,000; for 1944, $110,000,000, and for 1945, $111,000,000. The pre-war high was an estimated $100,000,000 in 1937.

Commerce released the following quarter - by - quarter comparative breakdown in remittances: January-March, $34,000,000 in 1947, against $33,000,000 in 1946; April-June, $33,000,000 in 1947, against $33,000,000 in 1946; July-September, $29,000,000 in 1947, against $34,000,000 in 1946; October-December, $28,000,000 in 1947, against $38,000,000 in 1946.

M-G-M Sales Parley

(*Continued from page* 1)

announced that it will release 17 pictures, eight of them in Technicolor, in the next six months.

Among those slated to attend from the field will be John P. Byrne, Herman Ripps, John J. Maloney, Frank C. Hensler, Rudolph Berger, John S. Allen, Burtus Bishop, Jr., Ralph W. Maw, George A. Hickey and Samuel J. Gardner. Home office assistants present will include Paul J. Richrath, Charles F. Deesen, Leonard Hirsch, Irving Helfont, and others.

French Producer Here for Talent

Only good films are doing business in France, regardless of whether they are American, English or French, P. Albert, president of Realisations D'Art Cinematographiques of Paris, has disclosed here. Albert is here with Compte De Perregaux, head of the same unit's affiliate in Switzerland.

Both are here to arrange for a New York opening of their film, "Man to Man," and also to go to Hollywood to line up talent for a picture based on the story of the Panama Canal.

French Reject

(*Continued from page* 1)

quota commitments already made to other countries. The British mission to Paris included F. M. F. West, managing director of J. Arthur Rank's Eagle-Lion Distributors; Sir David Cunynghame of Sir Alexander Korda's London Films, and Reginald Baker of Ealing Studios.

The trio termed the Paris conversations "useful," however, with the hope prevailing that increased playing time will be given British films in France in the following year.

Meanwhile, the British Film Producers Association is endeavoring to persuade the British government to engage in government-level talks with the French in behalf of the BFPA. The association claims its members are entitled to a French quota of between 30 and 40 pictures annually in view of stepped-up British production. The present quota limits the British to 22 features annually.

Answering British exhibitor allegations, meanwhile, that U. K. producers will be unable to produce enough films to meet the 45 per cent British quota, Sir Henry French still claims the producers will furnish 90 "first features" for release during the year ending Sept. 30 next. He admits, however, that there is a falling level of American production here, a fact which makes his prophesy more problematic than ever.

BFPA is expected to appoint soon a special panel to select the most appropriate pictures to export to France during present quota restrictions.

CEA Adamant

(*Continued from page* 1)

promised Rank to do all they could to make the detested 45 per cent quota workable.

The BFPA stepped in and insisted that Rank conduct no further negotiations unless accompanied by his fellow-producers. The CEA subsequently declined overtures for a meeting which would include BFPA representatives.

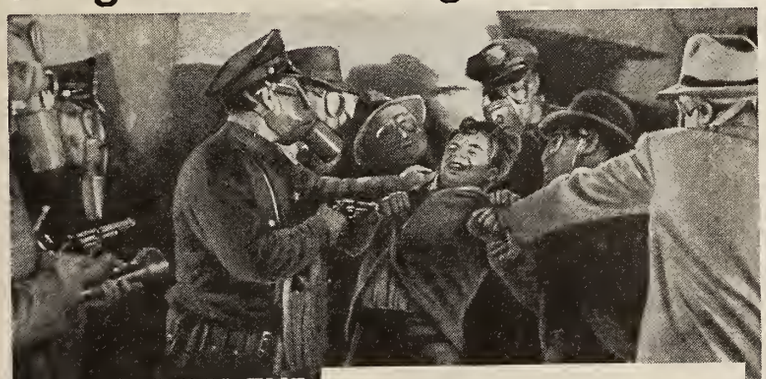
Meanwhile, the exhibitors either are securing the kind of terms Rank promised or they are complaining loudly and refraining from penciling in GFD dates.

American distributors here are watching the situation closely, determined to oppose the development of a common renting formula for the whole trade.

UK Govt. '47 Films Cost Was $2,758,156

LONDON, Dec. 5.—British Government's Central Office of Information reveals in its annual report for 1947 that its third largest expenditure for information items was for film production. Out of a total of 3,250,000 pounds ($13,000,000), 689,539 pounds ($2,758,156) were spent for films.

Savage TRUTH...Stronger than Fiction!



FROM THE HOMICIDE FILES OF THE LOS ANGELES POLICE!

"HE WALKED BY NIGHT"

starring RICHARD BASEHART • SCOTT "CANON CITY" BRADY

A BRYAN FOY Production • An EAGLE LION FILMS Presentation

"Even better than 'T-Men' and 'Canon City'!" —Harrison's Reports

PERCY KILBRIDE



"Pa Kettle" in fine fettle... and funnier than ever in

"YOU GOTTA STAY HAPPY"

Film 'Clean-Up'

(*Continued from page* 1)

ing the NCPT, is in process of formation to act along similar lines.

"In a constructive vein," the NCPT has indicated that it will give "wide publicity to the codes and standards of praetice of the industries concerned." The overall program calls for research into the influence of the three media on children, community action and general investigation. Also called for is the dissemination to state and local organization leaders of a list of books and pamphlets which will help them gain a perspective and foundation for selecting and applying standards of wholesomeness.

Will Negotiate with Producers, Publishers, PTA Head Says

CHICAGO, Dec. 5.—Commenting at the weekend on the program of the National Congress of Parents and Teachers to "eliminate vicious comic books and objectionable radio and motion picture programs," Mrs. L. W. Hughes, NCPT president, said here today that negotiations with publishers and producers to accomplish the objective are to be on a "friendly and constructive basis."

"It is our objective," Mrs. Hughes said, "to improve the reading, looking and listening fare of young Americans. Our board is unanimous in thinking that the time has come to take serious notice of the menace to our children from over-stimulating motion pictures, hair-raising radio programs, and, in particular, corrupting comic books."

She added: "Those who control these three mighty mediums have a responsibility toward the public greater than that of the ordinary profit-and-loss merchant. We want to see so many good radio shows, so many good pictures in neighborhood theatres, and so many good books that there will be no room left for the cheap and shoddy."

To Vote on Blue Laws

CHICAGO, Dec. 5. — The Zion City Council has set Dec. 21 for a referendum election on a proposition to repeal the city's "Blue Law" ordinance banning operation of all amusement places on Sunday.

Censorship Bill Is Introduced in Mass.

BOSTON, Dec. 5. — Rep. Bernard Lally of Boston proposes creation of a five-man board to censor motion pictures in Massachusetts. He has filed a bill under which the board could ban films found to incite race prejudice or depicting immoral or criminal conditions.

The governor would appoint the board, its members to consist of at least one woman and one clergyman. Tenure of office would be left to the discretion of the governor.

Photographers Party

Annual ball of the Press Photographers Association of New York will be held on Feb. 4 at the Waldorf-Astoria Hotel here. For the first time in its 20 years, the association will choose its "Queen" from the general public, professionals having been the entrants up to now. The association's membership includes many photographers from the film business. Joe Heppner is chairman of the publicity committee.

M-G-M Buys Story

HOLLYWOOD, Dec. 5. — David O. Selznick has sold F. Scott Fitzgerald's "Tender Is the Night" to M-G-M as a starring vehicle for Jennifer Jones. However, Miss Jones' stage and screen commitments may prevent her from being available if M-G-M decides to make the picture before next fall.

Approve Sunday Shows

KINGSPORT, Tenn., Dec. 5.—Motion picture shows here on Sundays appear assured following adoption of a resolution by the mayor and aldermen, with only one dissenting vote, ordering the preparation of an ordinance legalizing Sunday showings.

Suspend Rita Hayworth

HOLLYWOOD, Dec. 5.—Columbia suspended Rita Hayworth for her refusal to report to the studio on Friday in connection with "Lona Henry," Beckworth Corp. production, which is scheduled to start this week.

Reviews

"A Letter to Three Wives"

(20th Century-Fox)

SKILLFUL treatment has brought humor, drama and insight to a story dealing with three sets of people in an average American town. The innate appeal of the story has been strengthened by a handsome production mounting and a resourceful cast. An encouraging box-office result seems likely.

The story opens with the town's siren informing three young wives that she has run off with one of their husbands. The tormenting question is which husband, and since the three wives are about to board an excursion steamer for a day's outing, they cannot get to a phone to verify their fears. The [illegible] pattern has each of the wives drift into a revery of flashbacks. Young Jo[illegible]e Crain, now married to Jeffrey Lynn, a navy officer just out of service, cannot adjust herself to the town's social set. She fears a breach with her husband. Ann Sothern, who writes "soap operas" for radio, has had some domestic differences with her school teacher husband, Kirk Douglas. Finally, Linda Darnell, born to poverty and privation, campaigned for and won Paul Douglas, the town's tycoon. Disputes follow between these two because of Miss Darnell's cash-register approach to marriage.

In highly entertaining fashion, the film dwells on various aspects of the lives of the three wives, with tension mounting over the question of which one has lost her husband to the siren. A surprise ending ties the story up in a happy bow, when it develops that none of the girls has lost a spouse.

Joseph L. Mankiewicz who directed also wrote an adroit screenplay. Some of the sequences are quite outspoken, making the picture adult fare. Sol C. Siegel produced, from a novel by John Klempner. Performances are notable all down the line. Secondary roles are held up well by Barbara Lawrence, Connie Gilchrist and Florence Bates.

Running time, 103 minutes. Adult audience classification. Set for February release. MANDEL HERBSTMAN

"Jiggs and Maggie in Court"

(Monogram) *Hollywood, Dec.* 5

"JIGGS AND MAGGIE IN COURT" is far and away the best in the comedy series. Based on the George McManus comic strip, the picture's success is perhaps in large part due to the fact that the strip itself is the bone of contention throughout the film, and because McManus this time plays a principal part in the proceedings, proving himself an accomplished actor.

The crux of the conflict is a legal action brought by Maggie against McManus to enjoin him from caricaturing her in his comic strip, and this innately comic idea is worked out to a gratifyng surprise conclusion to the accompaniment of a series of incidents partaking directly of the comic-strip quality of humor. For adroitly accomplishing with living actors the laugh purposes which the cartoonist accomplishes with pen-and-ink, producer Barney Gerard rates a special variety of praise.

With Joe Yule and Renie Riano again playing Jiggs and Maggie, Tim Ryan as Dinty Moore and Pat Goldin as Dugan, the script gets under way as Maggie, resentful of being pointed out and laughed at in public due to her resemblance to the cartoon character, visits McManus in his office and tries to persuade him to stop drawing the cartoon. He agrees to do so, in 1959, and escapes her wrath momentarily, accompanied by Jiggs, only to meet up with it again when she retains counsel and has him brought into court. The engaging of counsel, the court session, and several completely slapstick-type sequences at Dinty Moore's bar, are studded with hearty laughs, all strictly in the McManus pattern. William Beaudine directed ably, from a script by producer Gerard and Eddie Cline.

Running time 66 minutes. General classification. Release not set.



Griffith Trial

(*Continued from page* 1)

show that some of Geiger's statements on Friday were at variance.

Called by the government to show that Griffith had cornered the product in Blackwell at that time, Geiger said he had been unable to buy from any of the majors during the 1938-39 season, but later changed this assertion and said he had cut back purchase opportunities, and had obtained RKO first and second runs, Universal, Grand National and Republic.

Friday's other witness was J. D. Wineland, former independent operator of Richer, Okla., who will return to the stand tomorrow. The hearing will be recessed on Tuesday but will be resumed Wednesday.

PRESS AGENT

Wanted—experienced theatre press agent to do publicity for group of 12 theatres 50 miles from New York City. Must know ad make-up, lobby displays and exploitation. State age, experience, reference and minimum salary.

BOX NO. 420 — M. P. DAILY
1270 SIXTH AVE., NEW YORK 20, N. Y.

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 4. NO. 109 NEW YORK, U. S. A., TUESDAY, DECEMBER 7, 1948 TEN CENTS

FILE COPY DO NOT REMOVE

12 from Wallis For Para. to Cost 18-Million

Complete Autonomy' for Producer under New Pact

HOLLYWOOD, Dec. 6.—Hal Wallis Productions will spend $18,000,000 on the 12 films which it will make for Paramount release at the Paramount studio under terms of the contract finalized here today.

The Wallis unit will have "complete autonomy" and will use all Paramount facilities, it was stated, although information on the extent of Paramount's participation in the financing was not disclosed.

The deal, which is for "several years," was signed by Hal Wallis and Joseph Hazen, president of the company. It culminates several weeks of negotiations both here and in New York, with the Paramount participants including Barney Balaban, president; Y. Frank Freeman, studio vice-president, and Henry Ginsberg, executive producer and vice-president in charge of studio operations.

Wallis' last deal with Paramount,

(*Continued on page 4*)

'IA' Sopeg Facing Long Legal Tussle

A long chain of formal National Labor Relations Board hearings, covering a period of about six months, now faces the union disputants in New York's jurisdictional battle for labor supremacy in film company home offices, it is believed in labor circles here.

Already CIO's Screen Office and Professional Employes Guild has indicated it will bid for a formal hearing in the dispute involving De Luxe Laboratories' "white collarites" whose allegiance the AFL's IATSE Motion

(*Continued on page 2*)

Will Recess Griffith Hearing to Jan. 24

OKLAHOMA CITY, Dec. 6.—Parties in the drawn-out Griffith anti-trust case will get a respite next week when the hearing will be stopped until Jan. 24 in order to give U. S. District Judge Edgar S. Vaught a chance to clear up other cases on the docket. It will also break up a hearing that has already consumed one week in

(*Continued on page 3*)

Hit by Television, Newsreelers Convert

Seriousness of the effect of television competition at newsreel theatres has been spotlighted with the conversion of two houses to regular film runs. While video's news coverage admittedly is not too extensive, nevertheless it is said to outdate much newsreel material. The two converting are Trans-Lux houses in Philadelphia and Washington.

Rank to Testify in Suit Here Mar. 21

British film industry leader J. Arthur Rank and his chief counsel, G. I. Woodham-Smith, are scheduled to testify in U. S. District Court here on March 21 in connection with the $1,000,000 litigation pending against Rank's General Cinema Finance Corp., the American Rank Organization and Universal-International, as filed by Canada's Empire-Universal Corp., court records disclose.

Reports from London have indicated that Rank will make his annual visit to the U. S. in March, and the case has been slated for that time to give him and Woodham-Smith an opportunity to testify. At the same time, Rank is scheduled to attend the first meeting of the Anglo-American Film Council in New York.

Empire-Universal, franchise distributor in Canada of U-I and Republic product, has retained attorney Samuel L. Spring of the New York law firm of Spring and Eastman, as

(*Continued on page 4*)

Italian-U. S. Deal Is Off

Negotiations between the U. S. Embassy in Rome and the Italian government, looking to an unfreezing of blocked American funds in Italy, have broken down, it was learned here. Reason was said to have been the Italians' demand for a stiff quota on American films in return for any dollar concessions. Until now no quota has existed in Italy and a great number of U. S. films have played that country.

Sentiment at New York home offices is that American distributors would eventually agree to the quota in Italy in return for dollars.

Eagle-Lion, shut out of the French market under the revised Blum-Byrnes accord, has appealed to the Rome Embassy not to permit a similar thing to happen in Italy and has been advised that any accord reached would cover all companies.

Eagle-Lion Protests French Film Accord

Eagle-Lion has filed a formal protest with the U. S. State Department against the recently revised Blum-Byrnes accord on film imports in France, Sam Seidelman, Eagle-Lion's foreign sales head, discloses here.

Eagle-Lion feels that it has been ignored by the Paris Embassy, which negotiated the new film pact, in that, under the provisions of the agreement it claims it is virtually frozen out of the French market. The revised Blum-Byrnes accord provides for the

(*Continued on page 4*)

"WordsandMusic"

[*Metro-Goldwyn-Mayer*]

Opulent Entertainment

WITH a deft and sparkling sense of how a musical should be made, M-G-M presents "Words and Music," a Technicolor production based on the lives and music of Richard Rodgers and Lorenz Hart. Studded with 22 song hits and adorned with 14 stars, the film has been lavished with care and extravagance down to the last detail. It emerges as a proud production, with sails smartly spread for a triumphant box-office run.

Mickey Rooney and Tom Drake are in the pivotal roles as Hart and Rodgers, respectively, with others

(*Continued on page 4*)

"Enchantment"

[*Samuel Goldwyn-RKO*]

Glowing Love Story

PRODUCER Samuel Goldwyn's latest is a love story aglow with warmth and charm, unfolding gracefully and endowed with those certain and oft-times elusive human qualities seldom captured on the screen. Immediately, "Enchantment" figures as something very special for the ladies and, too, for men not averse to sentiment.

David Niven and Teresa Wright are the leads and they and their associates on the screen contribute fine performances. And while all members of the production team—writers, performers, technicians—

(*Continued on page 4*)

Warm Up Bid For Tax-Free Theatre Sales

Divestiture Ruling May Bring Modified Proposal

With post-election reports from Washington pointing with increasing certainty to the drafting by the 81st Congress of a new federal tax law to conform to President Truman's campaign commitments, the belief is held in industry legal circles here that the new Senate Finance and House Ways and Means committees may be receptive to an industry bid for tax-exemption for theatre divestiture sales—the possibility of such a bid being contingent, of course, on the content of the ruling of the New York Federal Court in the pending industry anti-trust suit.

Indicating that there is not necessarily anticipation of a need for a tax-free divestiture stipulation in a new federal tax law, one spokesman for a theatre-owning defendant pointed out that the tax-exemption proposal which the industry placed before the Congressional committees last May, but

(*Continued on page 3*)

Gulf States Allied For Clearance Cut

By RED KANN

NEW ORLEANS, Dec. 6.—High on the program of Allied Theatres of the Gulf States is clearance and a revision downward of the prevailing order, according to W. A. Prewitt, Jr., president of the unit.

"The independent exhibitors are probably at fault in getting at this situation too late," Prewitt said, "but the 84 members who represent 186 houses served out of New Orleans exchanges did not get themselves set

(*Continued on page 4*)

New Trust Suit Is Filed in New Haven

HARTFORD, Dec. 6.—A complaint has been filed in U.S. District Court at New Haven, charging violations of the Sherman and Clayton anti-trust acts, by monopolizing and attempting to monopolize first-run pictures in Fairfield county, by a group of distributors. Injunctive relief is sought by Elmwood Theatre Corp., New Britain, and

(*Continued on page 3*)

Personal Mention

CHARLES REAGAN, Paramount distribution vice-president, flew to the Coast last night from Dallas. He is due back in New York tomorrow.

•

GAEL SULLIVAN, executive director of Theatre Owners of America, will join GUY HEVIA, city manager for Walter Reade Theatres in Asbury Park, N. J., and two other speakers in a discussion of the effect of motion picture on juvenile delinquency tomorrow evening over Station WJLK-FM in Asbury Park.

•

E. L. McEVOY, Universal-International short subjects sales manager, is in Milwaukee today from New York. C. J. FELDMAN, Western sales manager, is in Detroit from here, and FRED MEYERS, Eastern sales manager, will be in Philadelphia tomorrow and in Washington on Thursday.

•

JUSTIN SPIEGLE was honor guest at a dinner given by the Film Salesmen's Club of Cleveland Saturday night on his appointment as branch manager of the local Screen Guild exchange. He was previously Eagle-Lion salesman in the Toledo territory.

•

GUS S. EYSSELL, president of Radio City Music Hall and executive director of Rockefeller Center, is featured in "*Look* Applauds" in the issue of *Look Magazine*," released today.

•

JOE INGBER, Brandt Theatre booker-buyer here, and MRS. INGBER have become parents of a son, MICHAEL ANDREW, born in Lebanon Hospital, Bronx, on Sunday.

•

DR. C. E. K. MEES, Eastman Kodak vice-president of research, has been awarded a gold medal by the Photographic Society of Sweden.

•

ALFRED HITCHCOCK is in Toronto from Hollywood.

Disney Dividend

HOLLYWOOD, Dec. 6.—Regular quarterly dividend of 37½ cents on 18,580 outstanding shares of six per cent cumulative convertible preferred was declared today by the Walt Disney Productions board of directors together with payment on accumulation of $2.25 per share, thereby reducing preferred arrearage to $2.25 per share. Both dividends are payable Jan. 1 to stockholders of record on Dec. 18.

15-Cent RKO Dividend

Board of directors of Radio-Keith-Orpheum Corp. at a meeting here yesterday declared a regular quarterly dividend of 15 cents per share of common stock, payable Jan. 3 to holders of record on Dec. 17.

Columbia Meeting Feb. 3

A meeting of the stockholders of Columbia Pictures has been called here for Feb. 8 for stockholders of record on Jan. 3.

Lining Up Talent For Inauguration

WASHINGTON, Dec. 6.—James Sauter has been appointed chairman of the talent committee for the Presidential Inaugural by Melvin D. Hildreth, chairman of the Inaugural Committee.

Carter Barron, chairman of the parade and special events committee, and Loew Theatres executive here, said today that the talent committee will make arrangements for appearances of stars at events during inaugural week here. Appearances of stars from motion pictures will be arranged for by Melvyn Douglas, chairman of the motion picture committee.

James C. Petrillo, president of the American Federation of Musicians, has promised cooperation and the support of his organization for the Inaugural Gala. A production committee is now being formed to handle details of production and direction for the Gala. Radio and television companies are already making plans to cover the event.

Sherman Plan Inc. in Bid To Film Truman Inaugural

WASHINGTON, Dec. 6. — Sherman Plan, Inc., has submitted a bid to Melvin D. Hildredth, chairman, of the Presidential Inaugural Committee, to film "The Inaugural Story," a motion picture record in color, of the forthcoming inauguration of President Truman, it was disclosed here by Al Sherman, president of the film organization.

Northwest Owners To Meet on Dec. 15

PORTLAND, Ore., Dec. 6.—Oregon independent theatre operators plan to join with exhibitors of Washington, Northern Idaho and Alaska for a special meeting on Dec. 15 of the Independent Theatre Owners' Association, at the New Washington Hotel here.

Donald Dexter, 44

HOLLYWOOD, Dec. 6.—Funeral services will be held tomorrow morning at Forest Lawn here for Donald Dexter, 44, who died of a heart attack last Friday. Combat cameraman with Generals Mark Clark and George Patton, during the war, following a long career at Universal, the deceased joined Jerry Fairbanks Productions on his return from service. The widow and two brothers survive.

Booth MacCracken, 42

ROME, Dec. 6.—Booth MacCracken, 42, unit business manager for the 20th Century-Fox production here of "The Prince of Foxes," died in a hospital here on Saturday of a heart ailment. A native of Pittsburgh, he was associated with the company for nearly 20 years. The widow and a daughter survive.

Services for Schlitter

PHILADELPHIA, Dec. 6.—Funeral services were held here today for Henry Schlitter, former managing director of the Fox Theatre orchestra, who died at his home on Thursday.

Phila. Local Votes To Break with 'IA'

Philadelphia, Dec. 6.—Local No. B-100 of the Philadelphia Theatre Employes Union withdrew its injunction proceedings against the IATSE listed for hearing in Common Pleas Court today; this was the result of a secret meeting held last week during which the group voted to secede from IATSE and to join Local 252, Building Service Employees Union. The entire matter will come up before the Pennsylvania Labor Relations Board on Dec. 13 to determine the proper bargaining agent.

'IA', SOPEG

(*Continued from page* 1)

Picture Home Office Employes Local No. H-63 claims to have won away from CIO's SOPEG. Seen in the offing are formal hearings on bids involving shops at Paramount, 20th Century-Fox, Republic, Loew's and other home offices where former SOPEG members turned to H-63 during the period before SOPEG acceded to the non-Communist affidavit requirements of the Taft-Hartley Law.

H-63 spokesmen yesterday said: "Twenty-seven out of 28 office employes at De Luxe Laboratories signed H-63 cards and asked for an immediate election to choose a bargaining agent and commence negotiations. SOPEG, which formerly had a contract, refused to agree to a consent election, even though, as the NLRB said, 'There is no issue remaining'."

The issue is somewhat more complicated at Paramount. The company, it is said, is seeking to have converted into about six individual "white collarite" units what was once one unit at Paramount under SOPEG. That union is insisting the single original unit be maintained for a consent election. H-63, on the other hand, says it will be satisfied either way, just as long as a consent election is held.

Tomorrow, RKO Radio "white collarites" will engage in an NLRB consent election to determine whether the shop will revert to SOPEG, swing over to H-63, or have no union.

NY Musicians Elect Incumbent Officers

By a narrow margin of 80 votes, Richard McCann, heading a victorious incumbent slate, was returned to the presidency of Local No. 802 of the American Federation of Musicians in an election held here late last week. McCann polled 5,199 votes, while his opponent, Al Manuti, netted 5,119 votes. Other officers returned are Samuel Suber, vice-president; Charles Iucci, secretary; Jack Stein, treasurer.

Manuti, speaking for the defeated "Unity Coalition," which elected only one candidate to the executive board and two as delegates to other labor groups with which the union is affiliated, said he would call for a check of the voting records.

$8,200 for Hospital

ALBANY, N. Y., Dec. 6.—Some $ 200 was raised for the Will Rog Memorial Hospital fund in the Alba exchange district as a result of dance held here Saturday night at Ten Eyck Hotel.

RADIO CITY MUSIC HALL
Rockefeller Center
"HILLS OF HOME"
EDMUND GWENN . DONALD P
TOM DRAKE . JANET LE
and LASSIE
Color by TECHNICOLOR
A Metro-Goldwyn-Mayer Picture
SPECTACULAR STAGE PRESENTATION

JOAN OF ARC starring
INGRID BERGMAN
COLOR BY TECHNICOLOR • CAST OF THOUSANDS
7 Shows Daily NOW AND WILL CONTINUE AT THE VICTORIA B'way at 46th St.
Reserved Seats Starting TUESDAY DEC. 14th at the FULTON 46th St. W. of B'way

DARRYL F. ZANUCK presents
OLIVIA de HAVILLAND
the Snake Pit
Directed by ANATOLE LITVAK • Produced by ANATOLE LITVAK & ROBERT BASSLER
20th CENTURY-FOX
RIVOLI B'way & 49th Street

Paramount presents
JOHN LUND • WANDA HENDRIX
BARRY FITZGERALD • MONTY WOOLLEY
in "Miss Tatlock's Millions"
In Person
STAN KENTON
And His Orchestra
featuring JUNE CHRISTY
RED BUTTONS
RAUL & EVA REYES
and introducing
NELLIE LUTCHER
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

SAMUEL GOLDWYN presents
DANNY KAYE
+
VIRGINIA MAYO
"A SONG IS BORN"
COLOR BY TECHNICOLOR
Broadway at 45th Street
ASTOR
Cont. from 8:45 AM
Midnight Show

J. Arthur Rank presents
"THE RED SHOES"
Color by Technicolor
BIJOU THEATER, 45th Street West of Broadway
All Seats Reserved, Mail Orders
Twice Daily
Extra Matinees Saturday and Sunday
Late Show Saturday Evening 11:30
An EAGLE LION FILM Release

Robert Mitchum
Barbara Bel Geddes
Robert Preston
in
BLOOD ON THE MOON
BRANDT'S GLOBE
BROADWAY AT 46TH STREET

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter. Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

Smakwitz Promotes Foy

ALBANY, N. Y., Dec. 6.—Andrew M. Foy, manager of Warner's Stanley in Utica, has been named city manager in that city, to supervise the Avon and the Utica, by Charles Smakwitz, zone manager.

"QV?"



. . . about a wonderful new Quickie Vacation via TWA in the great Southwest. For, thanks to the speed of Skyliner travel, a few days off are time enough for days of fun and rest in the invigorating climate of Phoenix or Las Vegas. *Big fare savings on family travel and round trips.* For facts, call the local TWA office or your travel agent.

MITCHELL MAY, Jr. CO., INC.

INSURANCE

•

Specializing
in requirements of the
Motion Picture Industry

75 Maiden Lane, New York
510 W. 6th St., Los Angeles

TUESDAY, DEC. 14
HOTEL ASTOR
Federation of Jewish Philanthropies
TESTIMONIAL LUNCHEON
MAYOR WILLIAM O'DWYER
Guest of Honor

•

Tickets now on sale!
Room 168
HOTEL ASTOR
Circle 6-6460

Tax-Free Sales

(*Continued from page* 1)

which was withdrawn, has not been abandoned but rather has been in a state of "suspended animation."

It is explained, however, that the "blanket" nature of that proposal very likely will not be re-adopted since the House committee last May termed the proposal "too controversial" to be included in a tax-revision bill which was about to be reported. The proposal at that time would make tax-free any gain realized in selling theatres under a court divestiture order providing that the proceeds were reinvested in other theatre properties. This time, if the theatre-owning defendants should find that such a tax-exemption measure is desirable or necessary following the New York court's ruling, the bid would be "more specific," it was said. Treasury Department representatives spoke against the proposal at the May House committee hearings on it. Following its apparent defeat by the Treasury Department, one member said of the proposal that he was "sure it'll be back again next year." On May 12 the theatre-owning distributors asked the House unit to drop any further consideration of the bid until the New York District Court hands down a new divestiture decree in the Paramount case.

Meanwhile, Leslie M. Rapp, of the New York law firm of Simpson, Thacher and Bartlett, who lobbied in Washington last May in behalf of the proposal for Paramount, has withdrawn as a lobbyist. It is understood, however, that he would return as such if and when a need for pressing the proposal arises.

Griffith Hearing

(*Continued from page* 1)

which the government has put only about 10 of its 43 witnesses on the stand.

Today testimony came from J. D. Wineland, of Seneca, Mo., who formerly operated the Mystic in Piche, Okla., and Roy H. Russ, owner of the Camera in Stillwater, Okla. Wineland was cross-examined on testimony given earlier as defense attorneys sought to show what films he was able to get for his independent house, rather than what he claimed he was unable to get.

Russ told of competing against three Griffith houses in Stillwater and insisted that he was unable to get product from major distributors unless they were not selling to Griffith. In 1941, he said, he bought the first two blocks from RKO, but when the company was signed by Griffith he could not buy any more.

The government, bringing the picture up to date, brought out the fact that Russ now shows Monogram first run, M-G-M second run, and Warner, 20th Century-Fox and Paramount third run.

Ban Charity Lottery

BOSTON, Dec. 6.—All charitable lotteries, including the $15,000 in prizes sponsored by the Boston Variety Club, has been barred by the Boston police department, and Deputy Superintendent J. T. Sheehan has ordered all leaders of such lotteries arrested. When the order was announced the Hotel Statler removed from its lobby a car displayed on behalf of the Variety group. It is not known at present what will happen to money collected by the club for charity.

Name Paramount In N. Y. Libel Action

A $200,000 libel action has been filed in New York Supreme Court against Paramount by Richie Amusement Corp., operator of the Elton Theatre here, and its owners, Sol Rosenberg, Robert Kropp, David Berk, and David Holzer. Suit charges that the theatre's business has been hurt as a result of Paramount's alleged unjustified inclusion of Richie among the 100-odd defendants listed in the company's $500,000 percentage action against Brandt Theatres, et al.

Moving yesterday to vacate or modify the plaintiff's motion for examination of Paramount president Barney Balaban, the company maintained that Balaban has no knowledge of the details surrounding the percentage action. Paramount's affidavit holds also that the percentage action was brought against theatres in the Brandt circuit during the six-year period, that the Richie house was during that period part of the Brandt circuit, and that the company was unaware that it had, meanwhile, been withdrawn from the Brandt organization. Paramount contends, additionally, that its complaint in the percentage suit lists only Richie Amusement and not the owners.

Defendants Lose Bid In Action by Isley

LOS ANGELES, Dec. 6.—Phil Isley Theatres, which is suing major distributors and Fox West Coast on charges of conspiracy to withhold first run product from the newly completed Pickwood Theatre, won a skirmish in Federal Court here today when the defense asked dismissal of the case on the grounds that Isley had not joined the co-owners in the action. In denying the motion the court granted Fred A. Weller, Isley attorney, permission to file amendments joining the co-owners. At the same time Weller said the amount of damages sought will be increased from $495,000 to about $1,500,000.

New Trust Suit

(*Continued from page* 1)

the Susan Frouge Properties, Inc., Bridgeport. Petition for a preliminary injunction is expected to be heard in New Haven on Friday.

Listed as defendants are Loew's, RKO Radio, Paramount, 20th Century-Fox, Warner, Columbia, United Artists, Universal, and Marcus Loew Booking Agency.

Elmwood Corp., says the complaint, plans to open the Hy-Way Theatre in Stratford on Dec. 25, and has requested the distributors for an opportunity to negotiate film license agreements with an availability of 14 days after first-run Bridgeport theatres.

"Each of the distributors," according to the complaint, "has refused to negotiate license agreements for the exhibition of pictures at the Hy-Way Theatre on the requested run or on any terms whatsoever and have offered to negotiate film license contracts only on an availability of 30 days or more after the pictures play first-run Bridgeport theatres."

Thieves Get $5,000

PHILADELPHIA, Dec. 6.—At least $5,000 in cash was stolen from the safe of the Erlen Theatre, thieves prying off the door of the safe and carrying away theatre receipts.

3 BOXOFFICE BELL RINGERS!







Released thru
SCREEN GUILD Productions, Inc.
HOME OFFICE 346 SOUTH LA BREA, HOLLYWOOD 36, CALIF.
FOREIGN SALES DEPT: 723 SEVENTH AVE., NEW YORK CITY

MPA Names Cohen; Set Dec. 15 Election

Max A. Cohen has been nominated for the presidency of the Motion Picture Associates here, with the election scheduled for Dec. 15 at a luncheon-meeting at the Hotel Piccadilly.

Other officers nominated are: Morris Sanders, first vice-president; Ira Meinhardt, second vice-president; Saul Trauner, treasurer; Howard A. Levy, secretary, and Louis Kutinsky, sergeant-at-arms. Director nominees are: Leo Brecher, Jack Ellis, Jack Farkas, Harold J. Klein, Matthew Cahan, Raymond E. Moon, David A. Levy, William Murphy, Charles Penser, Samuel Rinzler, Samuel Rosen, Bert Sanford, Cy Seymour, Fred J. Schwartz and Seymour Schussell.

MGM to Recruit New Sales Trainees Soon

Success of the M-G-M sales trainee course in building future manpower was discussed yesterday at the opening session of the company's five-day sales conference at the Astor Hotel here. Four of the six trainees in the first course have been promoted, it was pointed out, and the indication is another group will be selected after Jan. 1 for the same indoctrination process.

Distribution vice-president William F. Rodgers, who presided at the gathering of field sales managers and territorial and home office sales assistants, described current and forthcoming M-G-M product.

Eagle-Lion Protests

(*Continued from page* 1)

import of 121 pictures by members of the Motion Picture Association of America and of an additional 11 films from U. S. independents.

Herman J. Lausch, governor-elect of Ohio, will represent Eagle-Lion in new talks with the State Department this week. The company feels it has a right to export 11 films to France like other distributors. Since Selznick Releasing Organization and Walt Disney Productions fall into the independent category, present arrangements would leave room for only a few Eagle-Lion pictures.

The official Eagle-Lion protest was based on the fact that the company was not advised of the negotiations with the French and that its needs were not taken into consideration. Eagle-Lion has requested a re-allocation of the 121 pictures or permission to send the same number of films as other distributors.

Eagle-Lion at first planned to distribute in France through the Rank Organization. Should an adjustment be made, Eagle-Lion product in France would be distributed by Gamma Films, the new organization headed by Aga Khan. Gamma is being set up to distribute Eagle-Lion films in Italy, Spain, Austria, Germany and Switzerland, as well as in France.

Para.-Wallis Deal

(*Continued from page* 1)

also for 12, and entered into in 1944, terminated with the completion of "Bitter Victory" last week. His first films under the new pact will be "Thelma Jordan," starring Barbara Stanwyck and Wendell Corey, and "Rope of Sand," starring Burt Lancaster, both starting in January. "My Friend Irma," from the radio program, will begin in February.

"Words and Music"

(*Continued from page* 1)

in the cast including June Allyson, Perry Como, Judy Garland, Lena Horne, Gene Kelly, Ann Sothern, Cyd Charisse, Betty Garrett, Janet Leigh, Mel Torme, Vera-Ellen, Marshall Thompson and many others.

Once the Rodgers and Hart team gets past its trying beginning, it rises brilliantly, with milestones centering in New York, London and Hollywood. Rooney's Hart is a bouncing, lovable characterization. As the film has it, he falls in love with Miss Garrett, but is rejected. Rooney goes on to be disappointed in love again and again, and while his lyrics make him a distinguished success, he feels that inside he is a flop. Until his tragic end, that inner-hunger remains. Drake's interpretation, on the other hand, has Rodgers a healthy and emotionally adjusted individual, who goes on to marry Miss Leigh and rear a happy family.

The background of the pair, their succession of Broadway hits and their elaborate parties, furnish the settings for a wealth of entertainment specialties. Various acts of the performers have been blended neatly into the narrative's development. Thus the stars come on and off stage without any rupture of fluidity.

Rarely, if ever, have such entertainment riches been encompassed in one film. A meager outline of the numbers follows. Miss Garrett sings "There's a Small Hotel" and "Way Out West on West End Avenue." Miss Sothern does a song and dance number around "Where's That Rainbow?"; Miss Allyson glows in another song and dance specialty constructed around "Thou Swell"; Miss Horne renders "Where or When" and "The Lady Is a Tramp"; Como sings several songs, including "With a Song in My Heart" and "Blue Moon," the latter number also sung by Torme.

AT A glittering Hollywood party Miss Garland shows up to sing two songs, "Johnny One Note" and "I Wish I Were in Love Again," the latter song as a duet with Rooney. A pantomime dance sketch is performed by Vera-Ellen and Gene Kelly, and there are several dance numbers by Miss Charisse as well as other songs by Rooney and Drake. The picture has something in it to please everybody. All of the numbers are done with appeal and expertness. To single out one or two for special praise would be unfair to all of the others.

A rare Yuletide treat is in store for patrons of Radio City Music Hall where the picture will have its premiere on Thursday. Under Norman Taurog's direction the story skips merrily along. Arthur Freed's production was based on the Fred Finklehoffe screenplay from the story by Guy Bolton and Jean Holloway.

Running time, 119 minutes. General audience classification. For December release.

MANDEL HERBSTMAN

"Enchantment"

(*Continued from page* 1)

do well, if one is to be singled out as deserving of special commendation here it would have to be Irving Reis for his magnificent direction. Special mention goes also to Gregg Toland who, as director of photography, apparently added much to the overall effectiveness.

David Niven is aged and alone, living only with the memory of a lost love of some 50 years ago. To his home in England during the war come Evelyn Keyes and Farley Granger, she from America and he from Canada, both in the service and both distantly related to Niven. It is in the course of their romance that Niven looks back through the years and the film focuses on him and Miss Wright in their youth.

While the scene moves from the present to the past and back again on numerous occasions the shifts never are disconcerting, never does the story confuse as it might have had it been entrusted to less skillful hands.

The Niven household of that long ago was dominated by his embittered, tyrant sister, played to the hilt by Jayne Meadows. It was she who succeeded in sundering Niven and the exuberant, vibrant Miss Wright, having engineered an Army post for him that would have meant a long separation. Miss Wright walks out in consequence and he, at present, has only memories. Miss Wright as a child, about seven, is played by Gigi Perreau, new to the screen now but on the basis of her brief but sparkling showing here destined for many and more important roles in the future.

THE film comes to a close as Miss Keyes and Granger, under Niven's encouragement, embrace during a violent air raid which kills Niven.

Other players are Leo G. Carroll, Philip Friend, Shepperd Strudwick, Henry Stephenson and Peter Miles. The screenplay is by John Patrick from the novel by Rumer Godden.

"Enchantment" apparently is just what Goldwyn intended it to be. It is slow and not very robust but a quicker tempo and "action" probably would have meant dilution of its other and, perhaps, more important, elements.

Running time, 102 minutes. General audience classification. For February release.

GENE ARNEEL

Wins $290,000 in Suit

ST. LOUIS, Dec. 6.—A jury has awarded $290,000 in damages to Mrs. Bruce Greenwalt Walcher for "invasion of privacy" in M-G-M's "They Were Expendable." An Army nurse on Corregidor, Mrs. Greenwalt sought $400,000 for the use of incidents of her wartime friendship with Lt. Robert B. Kelly on Corregidor, as portrayed in the film by the character of "Sandy."

Rank to Testify

(*Continued from page* 1)

trial counsel. Plaintiff alleges Rank's interests broke a 10-year distribution contract negotiated between Rank's now-dissolved United World Films of Canada and E-U, and that Rank product which rightfully should be released in Canada through E-U is being distributed by Rank agencies.

TV 2 Years Ahead Of Plans: Folsom

Boston, Dec. 6.—Television as an industry and as a service to the American people is two years ahead of the most optimistic postwar forecasts, Frank M. Folsom, executive vice president in charge of RCA, said in an address here before the Clover Club.

It is physically impossible, however, for the radio industry to produce enough television receivers to meet the current demand, and this condition will continue throughout 1949.

Folsom asserted: "If the returns from television broadcasting and the allied program activities are added to the income produced by television manufacturing, this new art should add $8,000,000,000 a year to the national economy five years hence. That amount would place the radio-television industry among the 10 largest industries in the United States."

Lapidus to Preside At Warner Meet

CLEVELAND, Dec. 6.—Jules Lapidus, Warner Eastern and Canadian division manager, will preside over a sales meeting of the company's Central district in Cleveland tomorrow. Attending will be Charles Rich, Central district manager, and J. S. Abrose, Cincinnati branch manager; J. M. Wechsler, Cleveland manager; C. W. McKean, Indianapolis manager, and Paul Krumenacker of Pittsburgh.

Lapidus will go to Pittsburgh tomorrow, returning to New York the end of the week.

Gulf Allied

(*Continued from page* 1)

up in Gulf States Allied until January of last year and it was nine months later before the unit was accepted by national Allied. He had considerable organizing to do as an association. "That is well along now so that today we are in a position to direct attention to matters which require attention," he declares. "Along with clearance is the matter of film prices. From a national viewpoint, obviously, we stand wholeheartedly with Allied on such basic policies as the Finneran Plan, opposition to compulsory percentage billing and the rest of the program" adopted at the convention last week.

Prewitt reports independent theatremen look askance at the discrimination they allege is practiced against them by distributors. "There are instances," he maintains, "where the better, or the best, theatre is prevented from buying product even at prices acceptable to distributors because the circuits get first crack. It is, therefore, a strange state of affairs under which a man who is a better customer finds it impossible to buy the merchandise he needs, particularly when price is no barrier."

When it was pointed out to the Gulf States president that distributors voluntarily are adjusting clearances in a number of other territories, Prewitt readily acknowledged that reports to this effect are circulating along Film Row. He said two distributors, unnamed by him, have been promising an unwinding of the existing system but "so far it is just talk."

Elsewhere, it was learned, a plan is afoot to cut clearance in New Orleans from 60 to 45 days. One of the two distributors considering this is understood to be 20th Century-Fox.

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64. NO. 110 NEW YORK, U.S.A., WEDNESDAY, DECEMBER 8, 1948 TEN CENTS

FILE COPY NOT TO BE REMOVED

MPA Asks for Better Tariff Breaks Abroad

Seeks U. S. Support in Negotiations Pending

WASHINGTON, Dec. 7.—The Motion Picture Association of America today submitted to the U. S. Committee for Reciprocity Information a memorandum relating to negotiations between the United States and 11 countries for reciprocal reduction of tariff and other trade barriers.

The countries are: Denmark, Dominican Republic, El Salvador, Finland, Greece, Haiti, Italy, Nicaragua, Peru, Sweden and Uruguay.

The memorandum, which was presented by Theodore Smith of the international division of the MPAA, looks toward accession of those countries to the general agreement on tar-

(*Continued on page 6*)

Wilson's Film Moves Draw Press Fire

LONDON, Dec. 7. — The British press has been uniformly critical of the penchant of Harold Wilson, president of the Board of Trade, for appointing committees in his endeavors to pull the production industry here out of its despondency.

His latest project is a "working party" composed of producers and studio representatives which is scheduled to give attention to the root of all production's evils—high costs.

"Perhaps," said the *Manchester Guardian*, "the best thing he (Wilson) could do would be to dissolve some of the many committees he has

(*Continued on page 6*)

Kansas-Mo. Allied Names Parkhurst

KANSAS CITY, Dec. 7.—C. M. Parkhurst was appointed general manager of Allied Independent Theatre Owners of Kansas and Missouri today at a meeting which approved the stand taken by Allied States at its New Orleans convention against forcing of percentage pictures and the Finneran Plan for disciplining stars. A new and lower schedule of dues in the lower bracket, as recommended

(*Continued on page 7*)

New Coast Academy Video Awards Jan. 25

Hollywood, Dec. 7.—Recently-organized Academy of Television Arts and Sciences will hold its first annual awards banquet on Jan. 25, at the Hollywood Athletic Club, bestowing statuettes for the best television film produced in Hollywood, for the outstanding television personality, and a plaque to the local television station chosen for over-all achievement in 1948. The public is invited to vote for the most popular local television program.

7 Film Executives In TV Production, Distribution Firm

Seven industry executives have formed Lion Television Corp. to produce pictures for television and distribute them through Robert M. Savini's Astor Pictures Corp. exchanges or through independent Astor franchise holders throughout the country. Lion has already acquired numerous productions, which will be made available immediately to telecasters along with "live-show" programming and spot announcement material, company spokesmen said.

President of Lion is Earl W. Ham-

(*Continued on page 6*)

Para. Weighs Division of Its Operations

Division of Paramount into two separate companies, one for theatre operation and the other for production - distribution, independent of each other through a re-distribution of stock, has been considered by the company as a means of its settling the industry anti-trust suit. Management of the present company would take over the theatres.

This was cited as one of the more prominent plans which have been discussed by officials of the company. The likelihood that it will actually materialize, however, has been considerably lessened by the fact that president Barney Balaban is inclined to believe the company stands a better chance if the case is litigated to an ultimate decision in the courts.

These disclosures were made yes-

(*Continued on page 7*)

Osserman to Manage For RKO in L. A.

Jack Osserman, RKO Radio Latin American supervisor, has been named Los Angeles branch manager, effective Dec. 13, by Robert Mochrie, sales vice-president. Prior to joining the company's foreign department, Osserman was Chicago branch manager and then Midwest district manager.

'Little 3' Ask N.Y. Court for Separate Rule

To Give More Testimony When Hearings Resume

United Artists, Columbia and Universal, in a joint memorandum sent yesterday to the three federal jurists hearing the Paramount case, ask that if a decree is to be entered against them it should be separate and apart from the order involving the remaining four theatre-owning distributors.

The three companies advise the court that they intend to offer a "limited amount" of oral testimony on the resumption of hearings in the case on Dec. 20 for the purpose of presenting "a manner and method of licensing feature pictures." Also, the three state, "an additional matter that will require evidence" will be their attempt to eliminate the government's proposed bans on certain practices.

A means of including admission prices in the terms of exhibition con-

(*Continued on page 7*)

50% Business Drop In Newsreel Houses

This year's newsreel theatre business is off as much as 50 per cent from the 1947 level in Philadelphia and Washington and about 20 per cent in New York, Norman Elson, vice-president of Trans-Lux, said yesterday in confirming that the circuit's units in Philadelphia and Washington will convert to regular first-run features on Christmas Day. "Enchantment" will open at the Trans Lux,

(*Continued on page 7*)

'Collarite' Vote Today a Test on AFL vs. CIO

Weeks of intensified electioneering will be climaxed here today when RKO Radio's home office "white collar" workers cast ballots to decide the pattern of their future collective bargaining with the company.

Some union spokesmen hold that the outcome of today's voting will mark a definite trend in the current struggle between AFL and CIO locals for jurisdictional supremacy in film company home offices. All agree, however, that it will foreshadow increased effort on the part of both unions in the competition that began last summer when AFL's "IA" Motion Picture Home Office Employes Local No. H-63 began an invasion which succeeded in swinging United Artists' "collarites" away from CIO's Screen Office and Professional Employes Guild into the "IA" fold.

That was before SOPEG, or its

(*Continued on page 6*)

F. C. Division Heads To Meet on Dec. 18

B. G. Kranze, sales vice-president of Film Classics, has called a division managers' meeting in the home office for Saturday, Dec. 18. Sales policy for forthcoming new product will be discussed, in addition to pre-release engagements of "Unknown Island," new picture in Cinecolor.

Division heads who will attend include Jake Lutzer, Southern; Bob Abelson, Western; Max Roth, Mid-Western, and Max Cohen, newly-appointed Eastern manager.

Mayer to Testify Today in Cole Suit

Hollywood, Dec. 7.—Louis B. Mayer is scheduled to testify tomorrow morning when trial of Lester Cole's suit against M-G-M is resumed. Mayer was subpoenaed by Cole who claims that his contract with the studio was violated when he was suspended by the studio following his refusal to answer questions asked by the House Un-American Activities Committee.

Personal Mention

H. WILLIAM AUTEN, Eagle-Lion representative with Gamma Films, has left here by plane for Lausanne, Switzerland, where he will make his headquarters.

•

M. A. J. HEALY, Motion Picture Association Near Eastern representative stationed at Cairo, is en route here with MRS. HEALY on a leave of absence from his post.

•

HAROLD POSTMAN, assistant to ALAN F. CUMMINGS, head of M-G-M exchange operations, returned to New York yesterday from Cleveland.

•

ARTHUR HORNBLOW, JR., M-G-M producer, arrived here yesterday on the *SS Queen Mary* en route to the Coast.

•

CHARLES MAYER, Motion Picture Export Association manager for Japan and Korea, will leave here today by plane for Tokyo.

•

MAX E. YOUNGSTEIN, Eagle-Lion advertising - publicity vice - president, returned here yesterday from Hollywood.

•

SI SEADLER, M-G-M advertising manager, has returned to New York from the Coast.

•

JACK ROSENFELD has joined Herald Pictures as special sales representative for the New York territory.

•

PAUL PEREZ, Eagle-Lion staff writer, will leave here this weekend for a three-week vacation on the Coast.

'Don Juan' to Launch Film 'Book of Month'

The Movie Book-of-the-Month will be launched late this month with the publication of Warner's "The Adventures of Don Juan." Edward Dangel, Jr., president of Waverly House, publishers, and Jack Goldstein, co-chairmen of the advisory board, further reveal that plans are being completed for Walt Disney's "Fabulous Characters," United Artists' "Impact," Edward Small's "Black Magic" and Universal-International's "Life of Riley," as future Movie-Books-of-the-Month.

Safier in Canada on Deal

TORONTO, Dec. 7.—Morris Safier, distributor of "Concert Magic," full-length concert on film and starring Yehudi Menuhin, is here to complete arrangements for distribution of the picture in Canada. Safier will return to New York during the week to arrange for premieres in New York and other Eastern cities.

Bader's Paper Merges

Dave Bader, who founded the *16 Millimeter Reporter* in 1946, has merged his publication with *Film World*, published in Hollywood, one of Charles Ver Halen, Jr.'s publications.

Insider's Outlook

By RED KANN

Dallas, Dec. 7

FOR a Chicago-born Texan, Bob O'Donnell, who always does all right, did better than ever at the dinner given in his honor by Variety Club of Texas here last Saturday. It was an extraordinary tribute to this nationally popular theatreman. No less extraordinary was the bang-up job Tent No. 17 kicked in for the event. It was lavish. It was splendiferous. It was overwhelming in scale.

■

Bob has been native to these parts for almost 25 years. Because of this and because he has spearheaded the development of Variety Clubs International to a position not before realized, his local pals found enough reason to give the international chief barker this testimonial dinner.

Only, this clearly was not a local shindig. Two Cabinet members — one, Tom Clark, in whom the entire industry has considerable interest these days —were on the dais, four company presidents and all but one of the ranking executives in national distribution.

There were large contingents from California and New York. Nineteen states had home sons on hand.

Bankers, newspaper publishers, radio station owners, as well as city, state and federal officials indigenous to Dallas and Texas were present in somewhat dazzling profusion.

■

Over a lot of years of reporting and through many of them a suffering victim of after-dinner banality, this correspondent probably has never listened to a better array of speech-making. Some of it got overly sentimental and downright sticky, which was to be expected, but by an easy majority the many speakers were witty, light-handed and uproariously funny.

George Murphy, traveling toastmaster from the Metro studios, had acted in his capacity at Allied's concluding banquet in New Orleans three nights earlier. His audience there thought him good. They should have heard him here.

■

He read an amusing wire from Georgie Jessel who insisted Murphy's real name was Max Levine; the actual reason why he was so disappointed over the elections was because Murphy had expected Tom Dewey to name him Ambassador to Israel. But Georgie urged George not to be too put out. "You can still dance, which is more than Dewey can," Jessel telegraphed.

The toastmaster had a brief description for all those he introduced. On Ned E. Depinet: "He's the man whose chief responsibility is to offset Howard Hughes."

After Clark had praised O'Donnell to a fare-thee-well, the attorney general got this from Murphy: "When you write that decree, I hope you'll do it in the same expansive mood."

But when Murphy presumably disregarded a paragraph about Texas, he got this from Clark: "I guess I'll have to add that to the consent decree."

Johnny Harris noted: "It's nice to have the attorney general eating with us, not at us."

Secretary of Labor Tobin referred "to Texas and the states affiliated with her." But Bill McCraw had a definition of his own, which went: "The United States is made up of Texas and outlying states, and there isn't one of them that can outlie us."

Ex-Governor Harold Hoffman of New Jersey had a funny one about the waiter who had been talking to Murphy. "Must be a thrill to be a movie star. Making love to Judy Garland one day and Hedy Lamarr the next," he said.

Replied Murphy: "I don't know. It's not all it's cracked up to be. The next day you're apt to be a has-been."

"But," said the waiter, "just look where you has been."

■

It seemed uniform opinion that Karl Hoblitzelle's comment on his long association with O'Donnell in the Interstate Circuit was one of the highlights of the evening—on the serious side, that is. When Bob's turn arrived along about 1:30 A.M. Sunday morning, he was emotionally frazzled. But of Hoblitzelle, he said:

"The man is uncanny. He can tell when not to sign a theatre lease. He can even tell you what the lawyers are going to decide next year."

When they embraced at the very final, it appeared to come as a spontaneous demonstration of mutual affection and regard, just possibly reinforced and reaffirmed at that moment after two and a half decades of business and personal relationships.

Newsreel Parade

THE new Red spy evidence mark a newsreel highlight in all curre issues. Other items include Presid Truman saluting the warship US Missouri, people in the news, an varied sport events. Complete content follow:

MOVIETONE NEWS, No. 98—Pres dent Truman attends gift presentatio the *USS Missouri*. Foreign event Rail fog causes train crash. France titude train starts for America. Names i the news: Harry Truman and Margaret Chambers and Hiss; Mary Hallaran. Healt contest winners. Barbara Ann Scott i New York. Football. Wrestling.

NEWS OF THE DAY, No. 228—Secre films of Red spy ring. President Truma visits the "Big Mo." Christmas preview Foothall. Wrestling.

PARAMOUNT NEWS, No. 31—New spy evidence; government seizes films o stolen data. Command performance in Lon don. President Truman salutes "Mighty Mo." Christmas comes but once a year Football.

UNIVERSAL NEWSREEL, No. 202— Red spy film story. News in brief: Col Mary Hallaran, new Wac director; Paul Hoffman off to Europe. Saint Nick cele bration. Trade mart in New Orleans. Football, wrestling.

WARNER PATHE NEWS, No. 33— People in the news: President Truman, Whittaker Chambers, Col. Mary Hallaran, people of France. London fog. Livestock show. All-America football team.

Cohen Presiding at E-L Drive Meetings

SALT LAKE CITY, Dec. 7.—Milton E. Cohen, Eagle-Lion's Eastern sales manager and captain of the "Jack Schlaifer Testimonial Drive," arrived here from Los Angeles today and will confer tomorrow with branch representatives and exhibitors on the 26-week drive. At similar meetings in Seattle, Portland, San Francisco and Los Angeles, Cohen reports, exhibitors and exchange representatives pledged cooperation.

At the conclusion of tomorrow's meeting, Cohen will proceed to Denver for a similar session on Thursday.

Drayton to Head British Lion Board

LONDON, Dec. 7.—Harold C. Drayton, well-known City of London financier, is scheduled to become the new chairman of British Lion, following the recent resignation of the Sir Alexander Korda nominees from the company's directorate.

Drayton has been closely associated with financing of Herbert Wilcox films.

Beecroft Is Named Lorentz Assistant

CHICAGO, Dec. 7.—Harold Beecroft has been made assistant to Jack Lorentz, 20th-Fox division manager here, while Arthur Patzlaff, former office manager with Warner, has taken over that post with Fox in the local exchange, filling the post vacated by Joseph Calvelli.

AMPA Party Dec. 23

The Associated Motion Picture Advertisers will hold its annual Christmas luncheon party on Thursday, Dec. 23, in the Brass Rail Restaurant here.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager: Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

"WORDS AND MUSIC"
M-G-MUSICAL!
BETTER THAN A
$6.60 SHOW ON
BROADWAY!

M-G-M presents
"WORDS AND MUSIC"
STARRING (Alphabetically)
JUNE ALLYSON · PERRY COMO · JUDY GARLAND
LENA HORNE · GENE KELLY · MICKEY ROONEY
ANN SOTHERN
with TOM DRAKE · CYD CHARISSE · BETTY GARRETT · JANET LEIGH
MARSHALL THOMPSON · MEL TORME · VERA-ELLEN
Color by TECHNICOLOR
Based on the Lives and Music by RICHARD RODGERS and LORENZ HART
Screen Play by FRED FINKLEHOFFE • Story by GUY BOLTON and JEAN HOLLOWAY • Adaptation by BEN FEINER, Jr.
Musical Numbers Directed by ROBERT ALTON
Directed by NORMAN TAUROG • Produced by ARTHUR FREED

THE PUBLIC LOVES THOSE TECHNICOLOR M-G-MUSICALS!

Isn't it the truth! The folks get a screenful of gay stars, gorgeous settings, hit songs, happy entertainment (and Technicolor, too!) when M-G-M brings to your theatre its multi-million dollar musicals! And everybody from 6 to 60 wants to see them!

The fans loved such M-G-Musicals as "Easter Parade," "A Date With Judy," "On An Island With You," "Luxury Liner," but they haven't seen anything yet!

Watch for the BIGGEST Musical yet, "WORDS AND MUSIC." World Premiere Radio City Music Hall and nationwide at New Years.

First in Musicals, too! M-G-M, Box-office Music!

OBEY THAT IMPULSE....BOOK IT





TYRONE
POWER
GENE
TIERNEY

that Wond

with

REGINALD GARDINER • ARLEEN WHELAN • Lucile Watson • Gene Lockhart • Lloyd Gough • P

Screen Play by Jay Dratler • From a

.....FOR THAT WONDERFUL BOXOFFIC

YOUR BIGGEST HOLIDAY TIME!!!!



"SURE-FIRE LAUGH-WINNER AND COIN-SNARER!"... —*Variety*

"POWER AND TIERNEY STRONG MEDICINE FOR THE BOXOFFICE!"... —*Film Daily*

"WILL HIT RICH PAY DIRT!"... —*Boxoffice*

"NO QUESTION ABOUT BOXOFFICE RESULTS!"... —*Motion Picture Daily*

rful URGE

Richard Gaines · Taylor Holmes · Chill Wills · Directed by Robert S. Sinclair · Produced by Fred Kohlmar

am R. Lipman and Frederick Stephani

URGE FROM 20th CENTURY-FOX!

Await Key Men to Reappraise MPEA

Although they were tentatively scheduled to meet here this week to discuss the future of the Motion Picture Export Association, member company presidents, foreign managers and MPEA officers have postponed the conference indefinitely pending the return here from the field of key executives whose attendance at such a meeting is necessary.

Main point to be decided is whether joint operations overseas in terms of MPEA selling and distribution should be continued as in the past, or continued with modifications.

MPEA general manager Irving Maas will preside at the conference.

MPA on Tariffs

(*Continued from page* 1)

iffs and trade which was concluded at Geneva on April 30, 1947.

In an accompanying note to the committee, John G. McCarthy, MPAA managing director of its international division, said: "The foreign business of our industry is of vital importance, accounting for 30 to 40 per cent of all business done annually. Although subject to severe restrictions arising from various motivations and characterized by various devices, American commercial motion pictures can be seen, or shortly will be seen, on the screens of every country in the world.

"American pictures, designed for commercial exhibition in theatres, are produced primarily for the entertainment of public audiences. It is clear, however, that motion pictures should also be considered a form of communication. Trade restrictions of any kind which for most commodities have to be considered only in terms of their economic impact, must be weighted with less tangible but extremely important elements in the case of the modern film.

"It is earnestly recommended that its especial relevance to contemporary conditions be borne in mind by all American officials concerned with the outcome of the scheduled negotiations with the 11 countries involved.

"Another fact and comment which have been repeatedly stressed is that the American market may accurately said to be wide open for foreign films. At our ports of entry only negligible duties are levied on foreign films, and member companies of the MPAA would, on a basis of reciprocity, be glad to see even these duties abolished. The association and its members will welcome any appropriate measures taken to make possible the completely unimpeded flow of motion pictures among all the nations of the earth," McCarthy's note said.

Review

"Family Honeymoon"

(*Universal-International*)

ANOTHER bright comedy is added to the Universal-International roster in "Family Honeymoon," which presents Claudette Colbert and Fred MacMurray in a robust story that keeps the mirth moving freely. As merchandise designed especially for the family trade, it appears to be headed for a cheerful reception from the customers.

The story is one that gets into all sorts of spirited difficulties. It has MacMurray, a botany professor, marry Miss Colbert, the widowed mother of three lively youngsters. Unfortunately, a sister who was to take care of the children while the newlyweds went on their honeymoon, breaks a leg. There remains no alternative but to take the youngsters along to Grand Canyon. As might be expected, this unusual honeymoon results in some unusual incidents. First the children get lost, then they stir up their own brand of excitement, and finally the little ones wind up by getting into everyone's figurative hair. Added to these disturbances, an amorous siren in the form of Rita Johnson enters the scene at this time, and her attentions upon MacMurray are not calculated to prolong his marriage.

An amusing series of complications brings the couple to a point of calling their marriage off. But by the time they get home everything is under control and the fadeout is a happy one. Claude Binyon's direction allows a few obvious incidents to take place but they are not important enough to interfere with the general hilarity. The screenplay, by Dane Lussier, is animated by many pungent quips. John Beck and Z. Wayne Griffin produced. Cast as the three youngsters are Gigi Perreau, Jimmy Hunt and Peter Miles.

Running time, 90 minutes. General audience classification. For January release.

MANDEL HERBSTMAN

Wilson's Film Moves

(*Continued from page* 1)

set up to enquire into problems and give more thought to the problems himself."

Said a government Minister, discussing the industry's cost problems: "The film industry is the only trade in this country which regulates its business by making an article for a shilling (20 cents) and knows it must sell it for sixpence (10 cents)."

The Minister had no prescription of his own, he being a good Labour man.

The trade feels there is little likelihood of the Wilson working-party getting him anywhere. Its two union members, George Elvin and Tom O'Brien, are in the process now of obtaining new wage increases for laboratory and theatre employes, respectively.

What many fear is that Wilson may feel himself driven, when all his committees fail him, to have resort to the Socialists' ultimate panacea, the nationalization of production, at least. Even that might not reduce production costs. But it could eliminate many of Wilson's critics, who might well be absorbed into the government's ambit.

Bunin Returns to US

Lou Bunin, producer of "Alice in Wonderland" which will be released by Eagle-Lion, has returned to the United States with the first print of the film. Shot in France, the film combines live action with animated puppets and will be in Ansco color.



Charter Hollywood AFL Film Council

HOLLYWOOD, Dec. 7.—The Hollywood AFL Film Council, in operation for the past year, has been incorporated as a non-profit corporation to promote closer unity between AFL affiliates, promote harmonious relations with employers, encourage the conciliation of disputes and establish educational, recreational, social and charitable enterprises to aid the general welfare of AFL members in the film industry.

AFL Education Film Association was simultaneously incorporated as a non-profit corporation to produce and distribute "motion pictures furthering the aims, and objectives of the AFL and its affiliates."

'Collarites' Vote

(*Continued from page* 1)

parent union, United Office and Professional Workers of America, had complied with the non-Communist affidavit provisions of the Taft-Hartley Law. But their compliance meanwhile notwithstanding, "IA" international president Richard F. Walsh has continued to point up the Communist issue.

In a statement made prior to leaving here for Minneapolis, where he attended a testimonial dinner last night for Roy W. Weir, of "IA" Local No. 13, who was elected to Congress on Nov. 2, Walsh said: "We welcome the turn of events that has placed SOPEG on the ballots. The workers now have a clear-cut opportunity to choose whichever union they feel offers them the better chance for financial security." Walsh held that "IA" white-collarites' scales in home offices "are uniformly higher than SOPEG's.

RKO Radio "collarites" will vote in today's National Labor Relations Board-sponsored election whether they want either of the unions or none at all.

7 Film Executives

(*Continued from page* 1)

mons, founder and former president of Educational Pictures, who has been in the television film field on his own for the past year. Other officers are: executive vice-president, producer Jules Levey; vice-president and treasurer, Charles L. Casanave, who is vice-president of Motion Picture Sales Corp.; secretary and counsel, Newman Lawler of the New York law firm of O'Brien, Driscoll, Raftery and Lawler; vice-presidents, Neil Agnew, Savini and Paul White. Savini will be also assistant treasurer, and White, president of Paul White Productions, will be assistant to Hammons. Agnew is president of Motion Picture Sales Corp.

The new company reports that for some time it has been maintaining production in New York studios, but because of a large schedule of future production, additional studio facilities are being sought both here and on the Coast.

Young with Greenthal

Gyg Young, formerly with the promotional department of Century Theatres here, and previously with the War Activities Committee during World War II, has joined the Monroe Greenthal Advertising Agency in New York, in the magazine media department headed by Bert Schwartz.

Seasonal Drop At N.Y. Runs

Business at most first-runs here is in the decline this week as the shopping and holiday season approaches. "Live Today for Tomorrow" was the lone newcomer, at the Criterion, and is headed for a mild first week's take of $23,000. The Music Hall is having its slowest week in several months with the second week of "Hills of Home," with the stage show, related to gross only $103,000. "Words and Music" will open at the Hall tomorrow.

'Joan' Continues High

Still riding high, however, is "Joan of Arc" at the Victoria where a fourth week's income of $47,000 is anticipated. At the Strand, "Fighter Squadron" with Frankie Carle's orchestra on stage is expected to do a moderate $30,000 in a third week. "Song Is Born" probably will give the Astor a mediocre seventh week's take of $14,000.

A robust second week's gross of $93,000 is seen for "When My Baby Smiles At Me," which is at the Roxy with Mickey Rooney and others on stage. "Northwest Stampede" will bow in at the Globe tomorrow, replacing "Blood on the Moon" which should wind up its fourth week with an adequate $14,000.

'Bandit' Good for $57,000

"The Kissing Bandit" is still good at the Capitol where, with Shep Fields' bandsmen on stage, a third week's take of $57,000 is apparent. At the Park, "Hamlet" still is playing to a full house; the 10th week's gross is figured at $16,000. "Road House" is doing fair enough at the Mayfair where $25,000 is indicated for a fifth week.

"Miss Tatlock's Millions," with Stan Kenton's orchestra and Red Buttons on stage, gave the Paramount a healthy $66,000 in a second week. Another good one is "Snake Pit" at the Rivoli where the fifth week's gross is estimated at $37,000. "Red Shoes" is having no trouble at all at the Bijou where a handsome $16,000 is in view for a seventh week. "Blanche Fury" is doing quite well at the Sutton, ringing up $10,000 in a third week.



Have YOU tried a SKYBERTH on American's famous DC-6 "MERCURY" flight to LOS ANGELES?

Phone HAvemeyer 6-5000 or your travel agent

Ticket Offices: Airlines Terminal Rockefeller Center • Hotel New Yorker 120 Broadway • Hotel St. George

AMERICAN AIRLINES

'Little Three'

(Continued from page 1)

tracts was presented to the court and a bid for the exemption of road shows in their entirety from the decree was made.

"Competition can be introduced into the licensing of films," the three companies declare, provided that no distribution-exhibition agreement conditions a run or clearance on a stipulated admission price. The memorandum adds that "if, however, any agreement contains an admission price figure solely and wholly for the purpose of computing film rental under the terms of the license agreement and is in no way related to run or clearance, the inclusion of any such method of computation of film rental shall be deemed reasonable."

On road shows, the three suggest that, "road shows should be exempted in their entirety from the decree provided each road show engagement is negotiated separately and independently by the distributor and the theatre."

The three charge the government with "going out of its way to fashion a decree which will go so far in favor of independent exhibitors that the rights of these defendants (the Little Three) will be jeopardized and possibly destroyed."

The government's proposed injunctions which the three seek to have eliminated include those which would restrain them from: granting unlimited playing time; granting road show privileges; from allowing privileges in the selection or elimination of films, and from allowing deductions in rentals if double bills are played. Some of the government's recommended injunctions, the three say, are "unintelligible."

Newsreel Houses

(Continued from page 1)

Washington, and "Red Shoes" will launch the new policy at the Trans Lux, Philadelphia.

The growth of television as a competitor has placed newsreel houses in a "very precarious position," Elson said, indicating that the circuit's two houses in New York also may convert. He said that he believes the newsreels "can't do much to help themselves" by way of adding to the timeliness of their material, although some steps have been taken. 20th-Fox Movietone has offered a daily strip and all five reels have moved up their release date from Tuesday to Saturday.

Elson reported that Trans Lux has entered into a deal with Paramount for newsreels, shorts and features in the first contract with that company in three years.

Utah Exhibitors Back New Ticket System

SALT LAKE CITY, Dec. 7.—Executive board members of the Utah Theatres Association were reelected at the organization's annual meeting here today as the UTA also went on record endorsing "Snoopruf," a new type general admission ticket invented by Henry Ungerleider, Salt Lake exhibitor, which cuts off the code number at the time of sale.

Members reelected to the board, which will elect its own officers, are Emil Ostlund, Victor Anderson, Julian N. Bills, Jay C. Christensen and Francis Feltch. Sam Gillette and Ray M. Hendry were appointed to the legislative committee.

Para. Loses Round In Tiffin Action

CHICAGO, Dec. 7.—Paramount and B. and K. were denied their motion today by Judge Walter Lebuy of U. S. District Court which sought to prevent the plaintiff in the Tiffin Theatre $840,000 anti-trust suit from taking depositions from Barney Balaban and Ben Kalmenson in New York on Dec. 13.

The defendants argued in court today that the depositions should be taken on written interrogatories rather than orally. The court said that whether or not they should be taken in writing or orally it was a matter for the plaintiffs to decide.

Para. Weighs

(Continued from page 1)

terday by a Paramount official who pointed to the company's vastness and corporate complexities in emphasizing the difficulties involved in any settlement which would be agreeable to it and to the government.

Under the RKO reorganization plan, that company has been granted permission to acquire 30 of the 271 houses which it owns in partnership. Paramount has 475 individual partners in exhibition and involved are over 1,000 theatres.

The general feeling among Paramount executives is that if it were to be divided into two companies, the theatre company could effect numerical splits of theatres with its partners to the extent that the government would approve.

It was also disclosed that some discussions have been held with partners and that these were in the nature of "feelers," with no commitments of any kind being made. Many of the partners evidenced a wait-and-see attitude, the informant said.

Deal Pending for Two 'Frisco' Houses

SAN FRANCISCO, Dec. 7.—Negotiations involving reversion of the local Warfield Theatre from Fox West Coast to Loew's are still pending with a decision expected within a few days. Also involved is Loew's State in Los Angeles.

Effect of a transfer would leave Fox West Coast with only two local houses, the 5,000-seat Fox and the 1,100-seat United Nations. The Warfield has been operated by FWC for some time on a month-to-month basis.

Kansas-Mo. Allied

(Continued from page 1)

by the board earlier today, was also endorsed by the meeting, along with national Allied's attitude of not taking action on the Andy W. Smith, Jr.-Ben Berger conciliation plan.

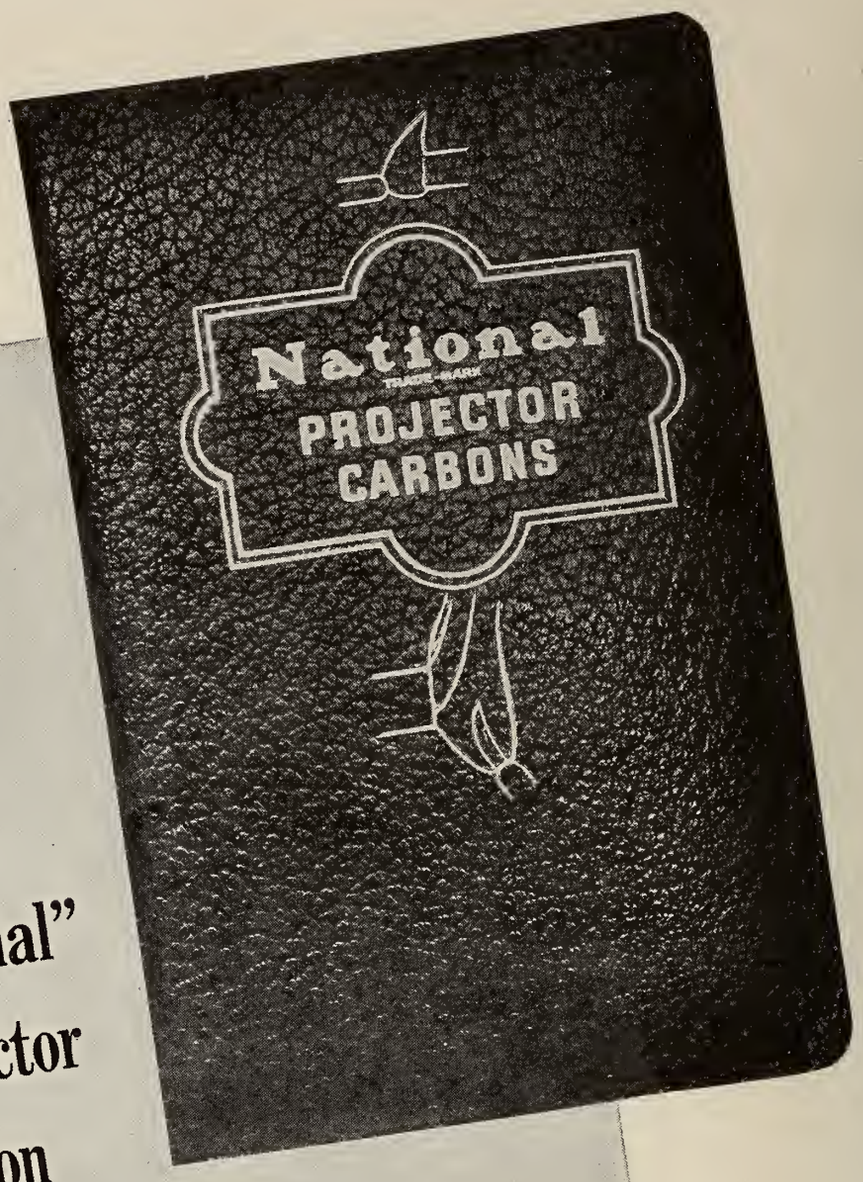
William L. Ainsworth, Allied president, and Charles Niles addressed an open meeting of independent exhibitors at the Hotel Continental, and reports on the national convention were made by O. F. Sullivan, president of the local unit, and others.

Miss Hayes FJP Speaker

Helen Hayes will be a speaker at the amusement industry's luncheon in tribute to Mayor William O'Dwyer on behalf of the Federation of Jewish Philanthropies on Dec. 14, at the Hotel Astor here, it is disclosed by Fred Schwartz, chairman of amusedivision drive.



Attention!



Get your copy of the new "National" Projector Carbon Handbook!

HERE, for the asking, is the latest word on projector carbons. This handbook is easy to read and packed with useful information—charts, tables, photographs and drawings—everything you need to know to get top efficiency in projector carbon operation.

The handbook contains chapters on such subjects as the physics and measurement of light...progress in projection lighting . . . the various types of High Intensity and Low Intensity Arcs . . . carbon arc projection for 16mm film...

In addition, the handbook provides tips on adjustment and alignment of projector carbons... on the amperage and voltage requirements of each type . . . on operating precautions and the proper care of electrical equipment and optical systems.

The handbook will be distributed through the Cleveland office of National Carbon Company, Inc., Post Office Box 6087, Cleveland, Ohio.

The term "National" is a registered trade-mark of
NATIONAL CARBON COMPANY, INC.
Unit of Union Carbide and Carbon Corporation
UCC
30 East 42nd Street, New York 17, N. Y.
Division Sales Offices: Atlanta, Chicago, Dallas, Kansas City, New York, Pittsburgh, San Francisco

★

FREE COPY
DO NOT

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64. NO. 111 NEW YORK, U.S.A., THURSDAY, DECEMBER 9, 1948 TEN CENTS

First Rise in Admissions for U.S. in a Year

Children's Prices Decline, Adults' Tickets Are Up

WASHINGTON, Dec. 8.—Admission prices for children continued their steady decline during the third quarter of 1948, but adult admission prices turned upwards, and the result was a slight rise in the U. S. Bureau of Labor statistics combined adult-children admission price index, it was shown here today when the Bureau released its admission price figures for the quarter.

The rise in the combined index was very slight—less than 0.3 per cent — but it was the first rise since the end of 1947.

The Bureau's figures are collected quarterly in 18 large cities, and adjusted to represent the average price trends in the 34 large cities in which the Bureau collects retail price data.

At the end of the quarter, the children's price index stood at 57.3 per

(*Continued on page 4*)

Loewenstein Again Heads Okla. T. O.

OKLAHOMA CITY, Dec. 8.—Morris Loewenstein, Oklahoma City, was re-elected president of Theatre Owners of Oklahoma at its annual convention here. Other officers renamed were Max Brock, Lawton, vice-president; C. B. Akers, Hobert, second vice-president; Ralph Talbot, Tulsa, secretary-treasurer.

John Griffin, Miami, Okla., was named head of a new conciliation committee, with Mrs. Avece Waldron, Lindsay, and Brock as members.

New theatre owner directors will be Phil Hays, Bartlesville; George

(*Continued on page 2*)

Uvick Elected Head Of Michigan Allied

DETROIT, Dec. 8.—Joseph P. Uvick, of Flint was elected president of Allied Theatre Owners of Michigan today, and Joseph Denniston of Monroe was elected vice-president with Irving Belinsky secretary-treasurer and Ray Branch national representative.

In addition to Uvick and Denniston, Glenn Cross was elected to the board,

(*Continued on page 2*)

Half of TOA Conciliates

Thirteen Theatre Owners of America units in the field, or nearly half of the full potential of about 30, already have set in motion exhibitor-distributor conciliation machinery, TOA headquarters here reported yesterday.

At present TOA president Arthur Lockwood and general counsel Herman Levy are touring field units to encourage adoption of and explain the organization's 60-day conciliation trial program. From time to time, TOA executive director Gael Sullivan has performed a similar function before field units.

Among the cities and areas where the TOA plan for settling specific differences arising between distributors and exhibitors has been adopted, are: Albany, Buffalo, Oklahoma City,

(*Continued on page 4*)

N. Y. Ruling Bans Theatre Picketing

A ruling handed down in New York Supreme Court here yesterday may end the boycotting and picketing of independent theatres in this city and state by unions engaged in disputes with film distributors.

In the ruling on motions in the case involving the Victoria Theatre here and the CIO's Screen Publicists and Screen Office and Professional Employes guilds, New York Supreme Court Justice Morris Eder held that no labor dispute existed, within the

(*Continued on page 4*)

L.B. Mayer Testifies In Cole-MGM Suit

LOS ANGELES, Dec. 8.—Louis B. Mayer, describing himself as "bitterly opposed to communism," declared today that "all we (producers) are responsible for is seeing that communism is not reflected on the screen, and it isn't." Chief witness at the resumption of Lester Cole's suit against M-G-M for restoration of his contract with the studio, Mayer was questioned at length about calls made upon him by House Un-American Activities Committee investigators before the Washington hearings at which Cole refused to answer certain questions.

Mayer, who was subpoenaed by Cole, confirmed testimony given early in the day by Jack Cummings, Cole's immediate superior at the studio, to the effect that Cole's contract had been revised upward on Cummings'

(*Continued on page 4*)

RKO Shop Election Is Won by SOPEG

CIO's Screen Office and Professional Employes Guild yesterday recaptured control of the RKO Radio home office "white collarite" shop.

A consent election, in which 279 members were eligible to vote brought 138 votes for SOPEG and 113 for AFL's IATSE Motion Picture Home Office Employes Local No. H-63. The latter union had challenged SOPEG for control of the shop before SOPEG's recent compliance with the non-Communist affidavit

(*Continued on page 4*)

Coy Sees Television Freeze Off by January

Business Is Good, Lockwood Insists

Memphis, Dec. 8. — Citing federal admission tax figures to show that attendance is only two and a half per cent lower than in 1947, Arthur H. Lockwood, Theatre Owners of America president, tonight told the Tri-States Theatre Owners board of directors that theatre business across the country is good. Lockwood and Herman Levy, TOA general counsel, are here for a meeting with the Tri-States membership tomorrow.

The freeze on television construction very likely will be off in January, Wayne Coy, chairman of the Federal Communications Commission, asserted here yesterday at a luncheon session of Television Broadcasters Association's Television Clinic at the Waldorf-Astoria Hotel.

Making this prediction at the risk of "being accused an optimist," Coy disclosed that a committee is now studying the problems that necessitated the freeze. As soon as the committee's report is available, in January, the FCC "would decide on allocations," Coy said.

Declaring that television's recent progress involves an increased need for responsibility, Coy said that "the days of temptation will come" and

(*Continued on page 2*)

Para. Decree Talks with US Make Progress

Goldenson, Gross, O'Brien Meet Again with Bergson

Some progress in Paramount's theatre divestiture negotiations with the Department of Justice was indicated following a new meeting of company officials with Herbert Bergson, head of the anti-trust division of the Department, in Washington yesterday.

Paramount was represented in the conference by Leonard Goldenson, vice-president in charge of theatre operations; Walter Gross, theatre department attorney, and Robert O'Brien, corporate secretary. The three have participated in previous discussions with Justice officials and, at their last meeting, were accompanied by Edwin L. Weisl, attorney and member of the Paramount board.

Neither Paramount nor the Justice Department would comment on yesterday's meeting, but it was apparent

(*Continued on page 2*)

N. O. Theatres Shy At Para. Film Buys

NEW ORLEANS, Dec. 8.—Independent exhibitors are in no rush to move into the buying vacuum created by Paramount's current break with E. V. Richards, Jr. This is a cross-sectional view:

1. Product has been in plentiful supply since Richards does not play M-G-M, RKO Radio and Eagle-Lion, and now it is more so.

2. Paramount is asking independent subsequent-run prices which it never got from Richards who averaged 15 per cent, as is commonly known here,

(*Continued on page 2*)

MGM Promotional Plans Set for Year

Plans for advertising, publicity and exploitation for M-G-M product for the next year were revealed to the company's field sales managers, their territorial assistants and home office aides yesterday at the Astor Hotel here by Howard Dietz, advertising vice-president; Silas F. Seadler, advertising manager, and William R. Ferguson, exploitation head.

Both Dietz and Seadler discussed

(*Continued on page 4*)

Personal Mention

SCOTT R. DUNLAP, executive assistant to STEVE BROIDY, Allied Artists-Monogram president, and HAROLD MIRISCH, vice-president, are here from Dallas.

•

NORMAN KERRIDGE, Australia-New Zealand circuit operator, is in New York en route home from a visit in London with J. ARTHUR RANK, partner in Kerridge Theatres.

•

MRS. HOPE BURNUP, manager of the London bureau of Quigley Publications, has entered Mount Vernon Hospital at Northwood, Middlesex, England.

•

MRS. VIRGINIA BROWN, wife of JOE L. BROWN, Allied Artists-Monogram publicist, is recovering at California Hospital following an appendectomy.

•

DICK REGAN, Film Classics office manager in Atlanta, and MRS. REGAN are parents of a son, MARVIN DICK, JR.

•

H. J. CHAPMAN, Columbia branch manager in Minneapolis, is in Tucson, Ariz., for a month's rest.

•

RUDY MATE, Columbia director, will arrive here today on the *SS DeGrasse* from France.

•

CARROLL PUCIATO, Realart general manager, has left New York for a two-week vacation in Bermuda.

•

ED HINCHY, head of the Warner playdate department, will be in Philadelphia today from New York.

•

SHIRLEY FISHMAN has resigned as exploitation-publicity head of the RKO Palace Theatre in Cleveland.

Broidy Confers Here; Variety Deal Closed

Steve Broidy, Monogram-Allied Artists president, arrived here yesterday from Dallas, en route to the Coast, for three days of product conferences with company sales executives. Discussions, he disclosed, will concern release schedules for 25 completed pictures, including five produced under the AA banner.

Broidy said that while he was in Dallas he completed arrangements with Variety Clubs International officials for the promotion of "Bad Boy," which was made by AA in cooperation with Variety. He said the film will have a world premiere around Feb. 15 and will be released under an arrangement similar to the one Paramount made with Variety for "Variety Girl."

Four Premieres Set

Following its opening at the Hillstreet and Pantages theatres in Los Angeles on Dec. 23, Samuel Goldwyn's "Enchantment" will have three simultaneous Eastern premieres on Christmas Day—at the Astor in New York, at Boston's Astor, and at Washington's Trans-Lux.

Griffith 'Practices' Hit in Testimony

OKLAHOMA CITY, Dec. 8.—Testimony purporting to show the dominance of the Griffith circuit in exhibition was presented today by three government witnesses in the Griffith anti-trust hearing before U. S. District Judge Edgar S. Vaught.

C. C. Hamm, who operated an independent house at Altus, Okla., in 1936 and 1937, asserted the circuit's buying practices forced him out of business, but he refused to answer directly concerning specific licensing agreements in cross-examination by defense attorney C. B. Cochran.

Earlier today, Rubin Frels, operator of 15 Texas houses, said his buying was restricted because of Griffith purchases, and Wendell Bearden, another Texas independent, offered similar testimony.

Para. Decree

(*Continued from page* 1)

that the door has been left open for further discussions, and additional meetings are certain to be held. Therefore, the indication is that the Department has found Paramount's divestiture proposals sufficiently interesting to warrant further attempts at working out details.

Meanwhile, 20th Century-Fox officials report that there has been no further development with respect to the divestiture proposals which it has presented to the government.

They indicated that it is their view that the next move is up to the Justice Department and, apparently, have no intention of pressing the matter further in the absence of a response from the government in some form. It was clear that they do not regard their divestiture discussions as being at an end despite the Justice Department's silence up to this point.

Indications are that substantial progress on divestiture proposals, should it materialize, might result in a further postponement of the New York Federal court hearings in the government anti-trust suit beyond the presently scheduled Dec. 20 date.

Para. Affiliate in Me. To Meet on Dec. 14

Maine and New Hampshire Theatres, Paramount affiliate which operates over 20 houses in New England, will hold its annual board of directors meeting in Lewiston, Me., on Dec. 14, at which time a possible reorganization or separation from Paramount is expected to be taken up.

Settle Bernhard Suit

Jack Manheimer, assignee for Joseph Bernhard in the latter's suit against Republic in connection with a dispute over a percentage of profits on the film, "Fighting Seabees," will receive a "substantial sum" under an out-of-court settlement, according to New York Supreme Court records. Suit was filed by Manheimer's attorney, Samuel L. Spring, in behalf of Bernard's interests. At present Bernhard is president of Film Classics.

Television Freeze

(*Continued from page* 1)

added that "now is the time to recognize this danger and resolve that undesirable practices will never secure a foothold. . . ." He said that "if you take precautions now not to be tempted to the primrose path, you will be saving this art from the excesses, the remorse, the clamor for reform, the struggles for redemption that plague, in varying degrees, almost every other form of communication."

Reviewing the progress of the past year, Coy said that the number of stations have jumped from 17 to 47; that the number of sets in the hands of the public is now close to 1,000,000; that in addition to 47 stations on the air, 74 are under construction, and 310 applications are pending.

J. R. Poppele, TBA president, who presided at the session, said that a TBA membership of 150 is expected next year.

N. O. Theatres

(*Continued from page* 1)

and independents, consequently, view this as price discrimination.

While there is no dearth of film, the first-run situation in New Orleans presents some difficulties. Until the product has a key run, availability for theatres which follow is stymied. Loew's State, however, already has played two Paramounts which normally would have gone into the Saenger, Richards' ace house here. It is understood Willis Houck, who operates the Strand, has closed for four Paramounts, thereby making available for those interested six attractions which would not have been available if Paramount had not decided to sell away from Richards.

But independents say they are being cautious on another count. They are not entirely persuaded that the present impasse has any permanency. They point out that Paramount and Richards, after all, are partners. While partners sometimes fall out and stay that way, sometimes they fall back in, too.

It would occasion little surprise here, therefore, if a truce between the two dissident groups were to be reached in the next few weeks, thus restoring the former situation.

Loewenstein

(*Continued from page* 1)

Proctor, Jr., Muskogee; E. R. Slocum, Comanche; Paul Covey, La Varne.

Akers, formerly Griffith Amusement Co. executive, was named legislative representative for the industry again. Akers served as state capitol contact man two years ago.

The delegates went on record as opposed to a proposal, advanced by the Oklahoma Municipal League, which would permit cities to levy admission taxes.

New Post for Sunberg

PHILADELPHIA, Dec. 8. — Abe Sunberg, manager of the Lincoln Drive-In Theatre, will go to Albany, N. Y., at the beginning of the new year as assistant general manager of the Fabian-Hellman circuit.

Sees Video as Aid to Film Consciousness

OKLAHOMA CITY, Dec. 8.—While television may become a serious competitor to film theatres in a few years, Theatre Owners of America president Arthur Lockwood envisages that medium as an eventual boon in creating "movie consciousness."

Addressing the two-day convention of the Oklahoma Theatre Owners here yesterday, Lockwood predicted that "television will exhibit motion pictures on scales far surpassing the present rate." He disclosed that producers are trying to curtail video appearances of their stars.

Nathan Golden, film chief of the U. S. Commerce Department, a guest at the convention from Washington, told of Eric Johnston's film deal with Russia, expressing the hope that Hollywood product would help carry some idea of "our way of life behind the Iron Curtain."

The convention heard Herman Levy, TOA general counsel, advise exhibitors who do not want to pay Ascap fees to go on record as putting the payments in reserve pending the outcome of the present litigation.

Harmon To Defend Films in Debate

Francis Harmon, vice-president of the Motion Picture Association of America, and actor Walter Abel will defend the industry in a television program tonight over WJZ-TV and the Eastern television network of ABC. The topic, "American Life vs. American Films," will be carried on the Critic-at-Large program.

Frederick Lewis Allen, editor of *Harpers Magazine,* will attack the motion picture's interpretation of the American scene. John Mason Brown, critic, will be moderator.

Uvick Elected

(*Continued from page* 1)

and William A. Cassidy, Henry Carley and Callen Johnson are alternates.

Charles Snyder, executive secretary of the unit, reported on organizational work during the past year, and Branch gave a report on the Allied States convention in New Orleans.

Forms Photo Supply Firm

ATLANTA, Dec. 8. — Formation of United Photo Supply Corp. here to distribute photographic products in the Southeast has been completed by James Frank, Jr., former New York branch manager of National Theatre Supply and president of the new company. Samuel J. Scheff is vice-president and treasurer.

New Princeton Plant

PRINCETON, N. J., Dec. 8. — Princeton Film Centers' new film and television plant is expected to be ready for use in January, according to Gordon Knox, executive director. One wing of the new building will be given over to the Center's distribution department and its library of over 1,000 films.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter. Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

NEVER TOLD BEFORE! The Top-Secret Saga of the Never-Say-Die Guys of the Skies!!!

ABLAZE WITH THE FURY!
AGLOW WITH THE FUN!
THRILL-DEEP WITH THE ADVENTURES OF THOSE YANKEE-DOODLE DAREDEVILS WHO PAINT THE SKIES RED, WHITE AND BLUE!!





WARNER BROS.' "FIGHTER SQUADRON"

THE FLYING FIST OF THE AIR FORCE

IN COLOR BY TECHNICOLOR!

What action! Included in this picture are Amazing Air-Battle Scenes From Guarded Air Force Vaults! Actual combat photographed by flying, fighting cameramen!



starring
EDMOND O'BRIEN ☆ ROBERT STACK ☆ JOHN RODNEY
with TOM D'ANDREA · HENRY HULL
directed by RAOUL WALSH
produced by SETON I. MILLER

written by SETON I. MILLER • Additional Dialogue by Martin Rackin • Music by Max Steiner

BALABAN & KATZ
STATE LAKE

WARNER BROS. ARE SKY WRITING NEW BUSINESS HEADLINES!

ALL-TIME RECORD IN DAYTON.

5-YEAR RECORD IN CHICAGO!

TREMENDOUS IN ALL 125 ENGAGEMENTS TO DATE!

THIS IS THE ADVERTISING THAT DID RECORD JOBS IN CHICAGO AND DAYTON! YOUR PRESSBOOK HAS IT ALL!

FIGHTING ACTION ON THE SCREEN! FIGHTING ACTION IN THE ADS!

Production Rises To 32, from 26

HOLLYWOOD, Dec. 8.—The production tally rose to 32 from last week's 26. Seven new films were launched, while only one was completed.

Shooting finished on "Beautiful Men," Columbia; "Shamrock Hill" (Equity-Vinson), Eagle-Lion; "Riverboat Rhythm," Monogram; "Slattery's Hurricane," 20th Century-Fox; "The Crooked Way" (Bogeaus), United Artists; "The Lady Gambles" and "Arctic Manhunt," both Universal-International.

Shooting finished on "The Beauti-Blonde from Bashful Bend," 20th-Fox.

'C' Rating for One As Legion Reviews 12

"The Sins of the Fathers," Maynard Film Distribution, Ltd., has been placed in Class C by the National Legion of Decency in its review of 12 pictures this week, while "Volpone" (French), distributed by Siritzky International, was reclassified from C to B in its revised version, and 20th Century-Fox's "Yellow Sky" was given a B rating. Rated A-II were: "Angel on the Amazon," Republic; "The Lucky Stiff," United Artists; Million Dollar Weekend" and "Parole, Inc.," both Eagle-Lion.

Given A-I ratings were: "The Denver Kid," Republic; "The Louisiana Story," Robert Flaherty-Lopert Films; "So Dear to My Heart," Walt Disney-RKO Radio; "Quick on the Trigger" and "Smoky Mountain Melody," both Columbia.

Admission Prices Rise

(*Continued from page* 1)

cent above the 1935-39 average. This compares with 59.4 per cent at the end of June and 61.0 per cent at the end of December 1947. It is the lowest this index has been since August 1946, when it was 56.6 per cent above the base figure.

The adult price index was 67.1 per cent above the 1935-39 average, compared with 66.4 per cent at the end of June, 67.7 per cent at the end of March—the all-time high—and 67.5 per cent at the end of 1947.

The combined index was 65.7 per cent above the base figure.

Osserman Due Sunday

LOS ANGELES, Dec. 8.—Jack Osserman, until now RKO Radio Latin American supervisor, is due to arrive here on Sunday to take over the sales managership of the company's branch here, under H. C. Cohen, branch manager.



Reviews

"So Dear To My Heart"

(*Walt Disney—RKO Radio*)

THE young-in-heart of all ages will delight in viewing Walt Disney's latest feature-length blend of cartoon animation and live action. "So Dear to My Heart" takes the audience on a nostalgic retrospective journey into the whimsical reminiscences set down in Sterling North's story of the same title, an examination of rural Indiana of a generation or so ago.

Presented in eye-filling Technicolor and acted with restraint and verve by an endearing cast, it recounts a little farm boy's trials and tribulations during his raising of a coal black lamb, blossoming finally into full-blown sentiment as the youngster's pet wins an award at the county fair. From time to time, as the "live action" tale unfolds, the screen erupts with Disney's magical flights of Technicolor cartoon fancy as the lad, delightfully played by Bobby Driscoll, thumbs through the pages of his scrap book of mementoes and souvenirs.

Sharing the leading roles with Bobby are folk-songster Burl Ives, Beulah Bondi, Harry Carey and pretty little Luana Patten. In the cartoon department the star is an axiom-spouting "wise ol' owl" who usually sets the stage for the camera's exploration of the dream-world fashioned by the many animators and cartoonists on the Disney staff. Miss Bondi, as the youngster's hard-working granny, is mellow in her recitations of homespun philosophy; Ives sings and acts with deep rural emphasis, and the children are as charming as youngsters can be in both their frolicking and quieter moments. Eight lively and sentimental tunes are woven into the proceedings, outstanding among which are "Lavender Blue," "So Dear to My Heart" and "Billy Boy." Among the sound-track vocalists are Mel Torme, Larry Morey and Irv Taylor.

Perce Pearce was associate producer, Hamilton Luske was cartoon director, and Harold Schuster was director of the "live action."

Running time, 82 minutes. General audience classification. Release date, not set.

CHARLES L. FRANKE

"Chicken Every Sunday"

(*20th Century-Fox*)

IF THE warmly-understanding reactions and obviously gleefully entertained responses of the crowded audience at the typical top-neighborhood theatre where "Chicken Every Sunday" was sneak-previewed—RKO's 58th Street, New York—is any criterion, then the successful commercial performance of this William Perlberg production appears to be unquestionably assured.

Perlberg staged his production with minute fullness, aided and abetted by director George Seaton, who moved his story telling at a smooth and zippy pace, a pace which, for the most part, skims over the occasional lapses of logic. All in all, it is human and funny, fun for the family especially, enacted by a cast that is competent and convincing in portraying the rollicking roles of the highly successful stageplay by Julius J. and Philip G. Epstein, the readable book by Rosemary Taylor, and the workmanlike screenplay by Seaton and Valentine Davies. Dan Dailey and Celeste Holm are both topnotch in the leads and give a large cast strong incentive for able support, principally Collen Townsend, Alan Young, Natalie Wood, William Frawley, Connie Gilchrist, William Callahan, Hal L. Dawson, Veda Ann Borg, Porter Hall and others.

The scene is Tucson, Arizona, in a period setting of 1910, where the highly ambitious and chock-full-of-promotional-ideas Dailey, zestfully bent on getting rich quickly, 'though honestly, invests repeatedly with his own and the local bank's monies, in everything from a silver mine without silver, to a trolley line, ostrich farm, brewery, laundry, creamery, opera house and copper mine without copper, all of which break Dailey and threaten the loss of his home. Meanwhile, the harried Miss Holm, as his wife, is forced to take in boarders to make ends meet for home expenses, to the discomfort of the dabbling Dailey. The fun in the bedlam of a home overrun by boarders ranges from the hilarious to the serio-comic, interspersed with some romance in the growing family, which, climactically, is saved from the loss of its mortgaged home by the generosity of sympathetic townsfolk.

Running time, 94 minutes. General audience classification. For February release.

JAMES CUNNINGHAM

M-G-M Plans Set

(*Continued from page* 1)

he "big pictures" already completed and some near completion seen during their recent visits to the Coast studio.

Also among the speakers were J. Robert Rubin, M-G-M general counsel and vice-president; Joseph R. Vogel, vice-president and head of Loew Theatres; Charles D. O'Brien, head of industrial relations, and Alan F. Cummings, in charge of exchange operations.

The meetings will continue through tomorrow.

Packard Joins Columbia

HOLLYWOOD, Dec. 8.—Fred M. Packard has joined Columbia studios as a producer. The deal is in addition to a commitment he has for 20th Century-Fox to release his "Quicksand."

RKO Shop Election

(*Continued from page* 1)

provisions of the Taft-Hartley Law. The company refused to "do business" with SOPEG until it had complied.

The election, which was conducted by the National Labor Relations Board, produced seven votes in favor of no union. Twenty employes refrained from voting, and one vote was challenged.

Exchange Contract Negotiations Get Under Way in New York

Negotiations between IATSE International representatives and a distributors labor relations committee on a new contract covering 6,300 exchange workers in 32 exchange centers got under way here yesterday. Other meetings are expected to follow shortly.

TOA Conciliates

(*Continued from page* 1)

North Carolina, South Carolina, Kansas City. Locations where conciliation boards are about to be set up include Boston, New Haven, Memphis, St. Louis.

Buffalo Conciliation Panel Of Three Is Established

BUFFALO, Dec. 8.—The Motion Picture Theatre Owners of New York State (Buffalo), a Theatre Owners of America unit, of which Mer[illegible] A. Kyser is president, has adopted the TOA conciliation plan. Members of the Buffalo conciliation panel are: Robert Hayman, Strand Theatre, Niagara Falls; Henry Dillemuth, Broadway Lyceum, Buffalo, and Lloyd Mills, Midtown, Buffalo. Alternates are: Jack Read, Hollywood Theatre, Gowanda; George Gammel, Eggertsville, N. Y.; Menno Dykstra, Glen Theatre, Williamsville; Charles Loree, Columbia, Buffalo.

Albany Panel Calls for Wide Use of Its Service

ALBANY, N. Y., Dec. 8.—Leonard Rosenthal, executive director of the new local unit of the Theatre Owners of America, will serve as counsel for the Albany conciliation board, which started functioning with the current issuance of a bulletin to theatre owners in the territory, advising all—TOA members and others—to make use of the panel.

Submission to the board of differences with distributors "does not in any way affect your legal rights," exhibitors are told.

The board will hold its first meeting on Friday, with Harry Lamont presiding as temporary chairman. Lamont, who has returned from conferences with TOA officials in New York, will confer shortly with TOA general counsel Herman Levy to set a pattern for operating here.

Theatre Picketing

(*Continued from page* 1)

meaning of Section No. 876 of the Civil Practices Act, between the guilds and City Investment Corp.'s Victoria. He granted the injunction which City Investment sought to prevent picketing and boycotting of the theatre, which is playing "Joan of Arc." Picture is being released by RKO Radio, one of several distributors with which the guilds have been in dispute.

The injunction restrains the unions from conducting "secondary boycotting and picketing," which City Investment's complaint described as "intimidation, coercion, and disturbing the peace."

The guilds have been passing out anti-distributor leaflets in the vicinities of several Broadway theatres, including the Victoria, which was the first unaffiliated house to apply for a court injunction against the activity.

Mayer Testifies

(*Continued from page* 1)

suggestion on the basis of the screen writer's work.

Most of the morning session was devoted by Cole's attorney to reading depositions from E. J. Mannix, in which the studio executive described visits by committee investigators who told him Cole was a Communist and should be discharged. The depositions indicated Mannix had also disclaimed interest in the politics of M-G-M employes.





How she fares depends on him...

WHAT the laboratory superintendent does is highly important to star . . . director . . . and movie-goer.

For his is the responsibility of providing release prints that meet the producer's specifications . . . and satisfy, at the same time, the requirements of the exhibitors.

Through his picture sense . . . his broad knowledge of photochemistry and the mechanics of processing, his precise control of printing density and contrast . . . he can bring out the best in every film, make the star's voice and presence more effective, help protect her popularity with her audience.

Critical work—this; but done all the more easily and efficiently by the laboratory superintendent and his staff, because of the quality and reliability they find in the famous family of Eastman motion picture films.

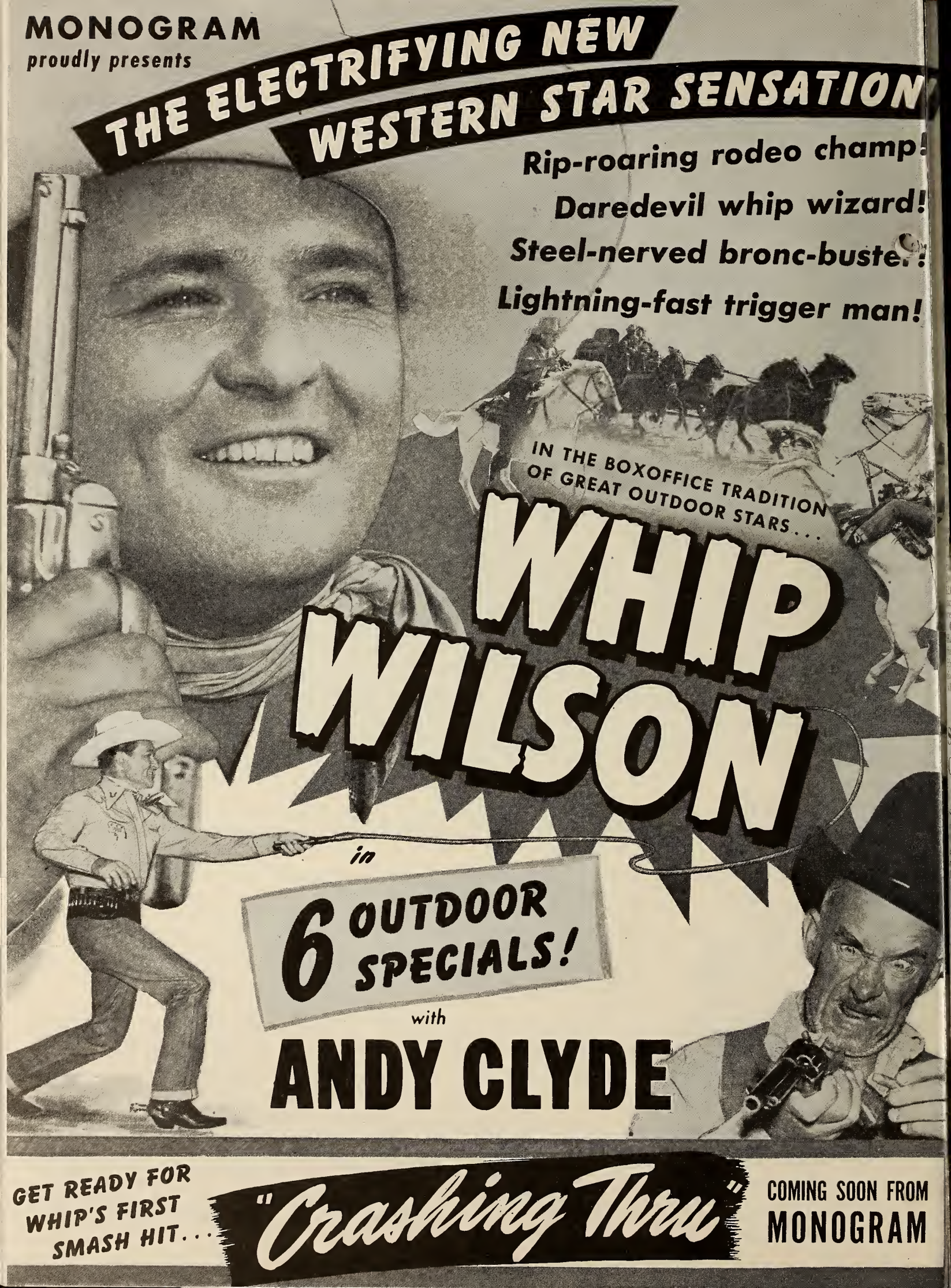
EASTMAN KODAK COMPANY
ROCHESTER 4, N. Y.

J. E. BRULATOUR, INC., DISTRIBUTORS
FORT LEE • CHICAGO • HOLLYWOOD

MONOGRAM
proudly presents

THE ELECTRIFYING NEW WESTERN STAR SENSATION

Rip-roaring rodeo champ!
Daredevil whip wizard!
Steel-nerved bronc-buster!
Lightning-fast trigger man!



IN THE BOXOFFICE TRADITION OF GREAT OUTDOOR STARS...

WHIP WILSON

in

6 OUTDOOR SPECIALS!

with

ANDY CLYDE

GET READY FOR WHIP'S FIRST SMASH HIT...

"Crashing Thru"

COMING SOON FROM MONOGRAM

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64. NO. 112 NEW YORK, U.S.A., FRIDAY, DECEMBER 10, 1948 TEN CENTS

DO NOT REMOVE

U. A. Set With Enough Films Until August

Company Seeking Deals For Mid-year Releasing

Although independents still are confronted with severe financing problems, United Artists has sufficient product on definite schedule to carry the company at least to August. While admittedly some of those forthcoming are of lower-bracket quality, the bulk of them are figured by the company as wholly adequate potential grossers, thus assuring healthy operations. Rentals of between $1,100,000 to $2,000,000 or more are anticipated for each of the better films to be delivered, according to a U. A. executive.

Gradwell Sears, UA president, left Hollywood last night after closing the three-picture deal with Howard Hughes — returning to Hughes the distribution rights to three which he produced, and obtaining

(*Continued on page 3*)

Sears-Hughes Deal On 3 Films Is Set

HOLLYWOOD, Dec. 9. — Gradwell Sears, United Artists president, today concluded a deal under which three features, produced by Howard Hughes and until now committed to UA for release, will revert to RKO and will be replaced by three to be made with $600,000 in financing by Hughes. It is understood a formal announcement, naming the producers who will make the replacement pictures, is to be issued in the next few days.

Following the second day-long conference with T. J. Tevlin, Hughes' representative; James Nasser, George Bagnall and representatives of Mary Pickford and Charles Chaplin, Sears left tonight by plane for New York.

Tri-States Adopts TOA Conciliation

MEMPHIS, Dec. 9. — The Theatre Owners of America conciliation plan was adopted today by the board of directors of the Tri-States Theatre Owners. The board had been authorized to act for the entire organization in the matter.

The board unanimously adopted the TOA plan and designated Max Con-

(*Continued on page 3*)

Canadian 'Co-op' Seen Only Partially Successful

MONTREAL, Dec. 9.—Complaints are being heard from the domestic motion picture industry that the Canadian Cooperation Project, initiated between American film interests and the Canadian government last January to forestall possible curbs on the flow of some $12,000,000 in Canadian film revenue annually to the U. S., has met with partial success only.

The project, at its inception, had three main objectives: To promote Canada as much as possible on U. S. screens and thus be instrumental in sending U. S. tourist dollars to Canada; to assign Canadian film producers to produce in Canada, paying costs in U. S. dollars; to make films in

(*Continued on page 6*)

ColumbiaExecutives To Aid Sales Drive

Rube Jackter, Columbia's assistant general sales manager, who is in charge of its current playdate drive, has selected 10 sales executives to assist in the campaign, which will continue through Feb. 17.

Those named are: Louis Astor, Louis Weinberg and Irving Wormser, cicuit sales executives; Maurice Grad, short subject sales manager; George Josephs, assistant to A. Montague; H. C. Kaufman, manager of exchange operations; Joseph Freiberg, sales accounting; Seth Raisler, contract department; Vincent Borelli, assistant to circuit sales executives; Sydney Singerman, assistant manager of exchange operations.

Jackter and Josephs will leave here on Monday to visit several of the company's exchanges in the interests of the drive.

Dismiss FP-C Action Against Nathansons

TORONTO, Dec. 9.—The long-standing legal action of Famous Players Canadian against Odeon Theatres, the late N. L. Nathanson and his son, Paul Nathanson, has been concluded by an order of dismissal with the consent of the parties concerned. Involving theatre ownership, the case developed when N. L. Nathanson resigned as president of FP-C eight years ago.

The decision on dismissal was made by G. D. Conant, Master-in-Chambers at Osgoode Hall on the appearance of J. H. Stratton, counsel for the defendants.

Para. Decree Talks With US Continue

Washington, Dec. 9.—Leonard Goldenson, vice-president of Paramount theatre operations; Walter Gross, theatre department attorney, and Robert O'Brien, corporate secretary, held their second day of discussions with Department of Justice officials here today on a theatre divestiture agreement. Conferences were going on to a late hour, and indications were that they would be continued.

Services Tomorrow For J. J. Murdock

HOLLYWOOD, Dec. 9.—Services will be held here Saturday morning at Forest Lawn for John J. Murdock, 89, one of the founders of RKO, who died yesterday morning at St. Erne Private Sanitarium, which he entered last spring. He had been ill for two years.

Murdock came to this country from his native Scotland 77 years ago. He was in various phases of theatricals, starting as an advance man in 1880, before becoming general manager of the B. F. Keith Circuit in New York in 1913. He engineered the purchase of Pathe by the then Keith-Albee Circuit, from Joseph P. Kennedy to form RKO in 1929. He was RKO's first president and board chairman.

In acquiring Pathe and its interest in DuPont Film, Murdock announced

(*Continued on page 3*)

Cole Relates Talks With Mayer at Trial

LOS ANGELES, Dec. 9.—Lester Cole, suspended M-G-M screenwriter who is seeking reinstatement of his contract, today told the U. S. District Court here that Louis B. Mayer had informed him that he had plans to make Cole a studio executive shortly before the writer was suspended for failure to answer certain questions put to him by the House Un-American Activities Committee.

Taking the stand late this afternoon, Cole testified under questioning by his attorney, Charles Katz, that he had gone to work for M-G-M at an

(*Continued on page 3*)

Industry-Wide U.K.-U.S. Meet Is Suggested

Kerridge, Rank Partner, Sees Future Imperiled

All branches of the British and American industries should be permitted to send representatives to the initial meeting of the Anglo-U. S. Film Council scheduled to be held in New York next March, Norman Kerridge, head of Kerridge-Odeon Theatres of New Zealand, suggested here yesterday.

The gravity of the problems affecting the firm and theatre companies of both nations, and their effects on the futures of both, require the attentions of all branches of the two industries, Kerridge believes.

Members of the Anglo-U. S. Film Council are: J. Arthur Rank, Sir Alexander Korda and Sir Henry French, for the British, and Eric Johnston, Barney Balaban and Nicholas Schenck.

Kerridge, who will leave New York on Monday for the West Coast, en route home following a London visit with Rank, said that if the American

(*Continued on page 6*)

E-L, SRO 'Changes' Could Bring a Deal

Daniel T. O'Shea, executive director of the Selznick Studio, president of Vanguard Films, and a member of the executive committee of the Selznick Releasing Organization, said here yesterday, in a statement released through the SRO office here, that "any talk of Eagle-Lion, as presently constructed, distributing Selznick product, or of SRO as presently constituted, distributing Eagle-Lion product, is ridiculous."

O'Shea said the "larger part of our discussions (with Eagle-Lion) has

(*Continued on page 3*)

Old Films Only for British Video Shows

LONDON, Dec. 9.—With the Exhibitors Association having been given formal assurance that no film still in general circulation around theatres will be used on the BBC television programs, the way has been smoothed for an early agreement between the BBC and the industry on their one-

(*Continued on page 6*)

Personal Mention

MARVIN H. SCHENCK, M-G-M vice-president and Eastern studio representative, is due back here Monday from Hollywood.

•

BENJAMIN FIELDING, Loew Theatre executive and former chairman of the Mayor's Committee on the Care of Children, has been elected to the executive council of the University Settlement.

•

DORSEY H. BROWN, office manager at M-G-M's Cleveland branch, has been promoted to the sales staff, with GEORGE BAILEY, booker, succeeding him as office manager and head booker.

•

CHARLES CLARK, former Universal-International sales manager in Atlanta, has been appointed a special representative for Screen Guild Productions.

•

MORTIMER W. LOEWI, executive assistant to the president of Allen B. DuMont Laboratories, has become associated with the investment firm of Van Alstyne, Noel and Co.

•

HOWARD RICHARDSON, associated with OTTO TEFTS in the State Theatre, New Britain, Conn., for the past two and a half years, has retired, with TEFTS assuming full control.

•

RED KANN, Quigley Publications vice-president, arrived in Hollywood yesterday from New York via New Orleans and Dallas.

•

LILLIAN COTTON has resigned as secretary of IATSE Motion Picture Home Office Employes Local No. H-63 here, effective Jan. 5.

•

LARRY CAPLANE, manager of the RKO-Brandeis in Omaha, and MRS. CAPLANE have become parents of a daughter, RONNIE GAIL.

•

RALPH WHEELWRIGHT, assistant to M-G-M studio publicity head HOWARD STRICKLING, left here yesterday for the Coast.

•

SALVATORE ADORNO, SR., owner of the Palace Theatre in Middletown, Conn., is observing his 33rd year in show business.

•

GEORGE REIF has transferred to Albany, N. Y., from New Haven, as Universal-International salesman, succeeding JOHN RUBACH, resigned.

•

DAVID BEZNOR, attorney for the Colosseum of Motion Picture Salesmen, is in New York from Milwaukee.

•

JOHN DUMPHENY, former Universal-International booker in Atlanta, has joined Kay Film Exchanges.

•

HARRY A. MONSON has resigned as vice-president and general sales manager of Ampro Corp., Chicago.

•

GEORGE CUKOR will arrive here tomorrow from the Coast.

New Product to Be Available in 16mm.

United-International Films, new production-distribution organization, which already has four pictures in work on the Coast, will be the first U. S. film company to market new product in 35 and 16mm. simultaneously, according to general sales manager Lester Tobias, who has arrived here from Hollywood to negotiate a national distribution deal with a state-right exchange system. Tobias, who will be here three weeks, said he expects to close a deal before he returns to the Coast.

The company, whose features will be budgeted at between $125,000 and $350,000, will have 13 pictures completed, in production or ready to be filmed by mid-summer, Tobias disclosed. He emphasized that the company will market prints in both gauges so as not to bring about conflicting competition between regular theatres and 16mm. operators.

President of the company is H. W. Erwin. Jack Seaman is in charge of production. Tobias is an industry veteran, having been associated with the sales department of Paramount in New England where, he pointed out yesterday, he established, many years ago, Connecticut's first film exchange.

It is understood that Universal-International has protested to United-International against the use by the latter company of a name which might create confusion in identification. Discussion of the matter is now going on on the Coast between officials of both companies.

Bandits Get $3,100 At Providence House

PROVIDENCE, Dec. 9.—Bandits took $3,100 in receipts from the RKO Albee today when they held up Russell L. Mowry, cashier, who was in the theatre alone, waiting for the armored express truck to arrive to fix the previous night's receipts. Police believe the thieves, who thrust guns at Mowry and forced him to open the safe, hid in the theatre all night. This is the second robbery in four months.

Weitman Aids Benefit

Robert M. Weitman, managing director of the Paramount Theatre here, will direct the annual benefit show for the Actor's Temple to be held Sunday night at the Imperial Theatre here under the sponsorship of Rabbi Bernard Birstein. Stars scheduled to appear include Bill Robinson, Joe E. Lewis, Phil Regan, Billy De Wolfe, Phil Silvers, Stan Kenton's band, and others.

Extend Hospital Drive

The financial crisis that confronts the Will Rogers Memorial Hospital has reached a stage where the current drive for funds is being extended upon the decision of the executive committee headed by Clarence Eiseman. A new date for the drawing will be announced shortly.

10% Loss from Cal. DST Seen Ending

Hollywood, Dec. 9.—California theatre owners expect the end of the 10 per cent loss in box-office grosses caused by statewide daylight saving when Gov. Earl Warren's proclamation ending daylight time becomes effective on Dec. 31.

DST was ordered more than a year ago because of a power shortage.

M-G-M Field Sales Meetings Next Week

M-G-M field sales managers and their territorial aides, on their return to the field, will hold a series of regional meetings next week with branch and district managers, to convey to them details of their five-day conference held at the Astor Hotel here this week. With the exception of George A. Hickey, Western sales manager, the field men will depart today and tomorrow.

Court Dismisses WB Suit on Picketing

LOS ANGELES, Dec. 9.—A $3,000,000 damage suit brought by Warner against the Conference of Studio Unions and others for picketing the Warner studio in the 1945 studio strike was dismissed here yesterday by Superior Court Judge Stanley Barnes on the ground that the complainant failed to serve the defendants within two years after filing suit.

Paul Benjamin Luncheon

Paul Benjamin, retiring executive of National Screen Service's production department will be honor guest at an NSS luncheon today at the Hotel Astor here. Benjamin has been with the company 29 years. NSS executives attending will include Herman Robbins, president; George F. Dembow, sales vice-president, and William B. Brenner, operations vice-president.

Golden To Revert

Leased by Supercinema Corp. from Lee and J. J. Shubert as a film house, the Golden Theatre here will revert to legitimate shows on Dec. 26, it is announced by Marcello Girosi, Supercinema president.

Add to Volmar Duties

Victor Volmar, publicity manager for Monogram International, has been placed in charge of the company's foreign versions as well, by Norton V. Ritchey, president. Fred Colorado has been named assistant to Volmar.

'Brotherhood' Luncheon

Ned Depinet will be host to film trade paper publishers and editors at a luncheon at the 21 Club here today. Details of plans for "Brotherhood Week," of which Depinet is chairman, will be discussed.

Asks 2% Tax in Mass.

BOSTON, Dec. 9.—Advocacy of a sales tax for Massachusetts, including a two per cent levy on theatre admissions, has been disclosed by Thomas H. Buckley, commissioner of state administration and finance.

RADIO CITY MUSIC HALL
Rockefeller Center
"WORDS AND MUSIC"
JUNE ALLYSON • PERRY [illegible]
JUDY GARLAND • LENA [illegible]
GENE KELLY • MICKEY ROONEY
ANN SOTHERN
Color by TECHNICOLOR
A Metro-Goldwyn-Mayer Picture
THE GREAT CHRISTMAS STAGE SHOW

JOAN OF ARC starring INGRID BERGMAN
COLOR BY TECHNICOLOR • CAST OF THOUSANDS
7 Shows Daily NOW AND WILL CONTINUE AT THE VICTORIA B'way at 46th St.
Reserved Seats Starting TUESDAY DEC. 14th at the FULTON 46th St. W. of B'way

DARRYL F. ZANUCK presents
OLIVIA de HAVILLAND
the Snake Pit
Directed by ANATOLE LITVAK • Produced by ANATOLE LITVAK & ROBERT BASSLER
20th CENTURY-FOX
RIVOLI B'way & 49th Street

Paramount presents JOHN LUND • WANDA HENDRIX
BARRY FITZGERALD • MONTY WOOLLEY
in 'Miss Tatlock's Millions'
In Person STAN KENTON And His Orchestra featuring JUNE CHRISTY and RED BUTTONS
RAUL & EVA REYES
NELLIE LUTCHER
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

SAMUEL GOLDWYN presents
DANNY KAYE • VIRGINIA MAYO
"A SONG IS BORN"
COLOR BY TECHNICOLOR
Broadway at 45th Street ASTOR Cont. from 8:45 AM Midnight Show

J. Arthur Rank presents
"THE RED SHOES"
Color by Technicolor
BIJOU THEATER, 45th Street West of Broadway
All Seats Reserved, Mail Orders
Twice Daily
Extra Matinees Saturday and Sunday
Late Show Saturday Evening 11:30
An EAGLE LION FILM Release

BETTY GRABLE • DAN DAILEY
"WHEN MY BABY SMILES AT ME"
in Technicolor
A Twentieth Century-Fox Picture
ON STAGE: MICKEY ROONEY—
Rosario & Antonio — Minevitch's Rascals
ROXY 7th Ave. & 50th St.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

Cole Trial

(*Continued from page* 1)

agreed salary of $1,250 a week, but was paid only $1,150 at first, and that when he complained to Sam Katz the latter mentioned that Cole's name had come up in "another fashion." Cole added that Katz said this was not the reason for the salary discrepancy and that he would refer the matter to the M-G-M president.

Cole said Mayer called him into conference and told him about visits from investigators for the House Un-American Activities Committee. The screenwriter then quoted Mayer as having assured him "our business is to make motion pictures," and having told him he had plans for making Cole a studio executive.

Cole Names McGuinness

Cole also stated that he told Mayer that James K. McGuinness had started the talk linking him with the Communist ideology after the Screen Writers Guild had beaten the Screen Playwrights Union, headed by McGuinness, in a National Labor Relations Board election. Mayer indicated he knew this, Cole added.

Earlier today, the court heard that Cole was suspended by the studio "not because he was said to be a Communist, but because we feared a national attack on the box-office," according to a deposition by E. J. Mannix, M-G-M studio executive.

The deposition by Mannix, as read into the court record, quoted the M-G-M executive as saying: "I don't know or care whether Lester Cole is a Communist. He did something to bring him into disfavor with the American people. In my opinion, there is no question that the industry did the right thing at the right time."

Kenny Called to Stand

In a surprise move, Katz called the screenwriter's chief counsel, Robert W. Kenny, to the stand to testify regarding a meeting attended by Kenny, Eric Johnston, Paul V. McNutt and others at the Shoreham Hotel in Washington before the House Un-American Activities Committee opened the hearings at which Cole refused to answer certain questions.

Kenny related that he told the executives that his clients "are concerned about reports that a blacklist is being planned," and that Johnston replied: "'You can tell them that as long as I am president of the Motion Picture Association of America there will never be a blacklist'."

Louis B. Mayer, who completed his testimony at the morning session, left by train for New York later for conferences with M-G-M executives there. He was accompanied by Howard Strickling, head of studio publicity. Nicholas Nayfack, M-G-M executive, is scheduled to be called as the next witness.

Eric Johnston Is Heading For the 'Hollywood 10' Trial

WASHINGTON, Dec. 9.—Motion Picture Association of America President Eric A. Johnston now expects to leave this weekend for the Coast to testify in connection with the breach-of-contract suits by Lester Cole and other writers suspended by the industry following the House Un-American Activities Committee hearings last year.

Johnston was slated to leave last weekend, but the Coast trials recessed and his trip was postponed. Now they have resumed. Johnston will be in New York tomorrow.

Review

"Three Godfathers"

(*Argosy-Metro-Goldwyn-Mayer*) *Hollywood, Dec. 9*

JOHN FORD, perhaps most widely identified in public memory as the director of "Stagecoach," and John Wayne, whose big-league career dates from his stardom in that film, are in their element again in this vastly proportioned picture of the Old West, filmed in the finest Technicolor. That is not to say that this is another "Stagecoach," for it is not, since it has tenderness as well as violence in it, and in fact partakes somewhat of the nature of a parable, but it is to say that it is, as "Stagecoach" was, a story of the rugged doings of strong men in the days when the desert was unconquered and law was a far-away thing. It is a story especially suitable for exhibition during the Yuletide, although by no means restricted in its usefulness to that season, and a measure of its appeal to audiences may be had in the knowledge that it prospered in at least three previous screen versions. Few films come to market so substantially guaranteed by precedent to satisfy the public which it draws.

John Ford directed, and co-produced with Merian C. Cooper, from a screenplay by Laurence Stallings and Frank S. Nugent, based on the original novel by Peter B. Kyne. The cast also includes Pedro Armandariz, Ward Bond, Mae Marsh, Mildred Natwick, Guy Kibbee, and introduces Harry Carey, Jr., a circumstance to be made known to the legion admirers of his late father.

Wayne, Armandariz and Carey portray outlaws who, fleeing into the desert following their robbery of a bank in Arizona, find their way to a water-hole blocked by Sheriff Bond's deputies. Seeking another water-hole, they come upon an abandoned covered wagon in which Miss Natwick, her husband lost in the storm, gives birth to a baby and dies, after pledging the three outlaws to take care of the infant. They struggle on with the baby, steering their course by a bright star, but the hardships are too much for Carey, who cracks up and dies. A little later, Armandariz, breaking his leg, commits suicide so that Wayne will push on with the baby. Wayne, delirious, reaches a town on Christmas Day and learns it is New Jerusalem. He gives himself up, and is dealt with leniently by the court in consideration of his having sacrificed his chances of escape to the welfare of the baby.

Running time, 105 minutes. General audience classification. Release date, not set.

WILLIAM R. WEAVER

E-L, SRO 'Changes'

(*Continued from page* 1)

had to do with negotiations growing out of offers made by Eagle-Lion for the reissues of a number of our pictures. There have also been discussions looking toward the possibility of such a deal as that discussed above, but manifestly this could only be considered on the basis of the institution of an entirely different kind of operation that would on the one hand specialize in big pictures in the manner of SRO, and on the other hand take advantage of the Eagle-Lion ability to achieve volume."

O'Shea admitted "we have initiated a number of discussions with various interests and have considered various propositions that have been submitted to us, consistent with Mr. Selznick's announced desire and intention to eliminate waste and duplication in distribution during these crucial times. None of these discussions has determined anything."

Tri-States Adopts

(*Continued from page* 1)

nett, exhibitor of Newton, Miss., to appoint a panel of three conciliators —one each from Arkansas, Tennessee and Mississippi—and two alternate members from each state.

Any theatre owner with a grievance can apply to the conciliation panel for service—whether he belongs to the Tri-States organization or not, under terms of the board's action today. Announcement of the action was made by W. F. Ruffin, Jr., Covington, Tenn., president of Tri-States.

The panel will be required to meet monthly in Memphis.

Arthur H. Lockwood, TOA president, and Herman Levy, general counsel, spoke before an industry-wide luncheon meeting which preceded the board meeting.

Michael Lessy, 74, Pioneer in Phila.

PHILADELPHIA, Dec. 9. — Michael Lessy, retired operator of motion picture theatres in the Philadelphia area and in Southern New Jersey, died yesterday in his home here at the age of 74.

A veteran in the business, Lessy was associated with Universal Pictures at the turn of the century. Later he entered exhibition with his brother, Alexander.

Surviving are his widow, Tillie; two sons, George W. and Perry; four daughters; two brothers, and two sisters.

Wilfred Pettit, 38

HOLLYWOOD, Dec. 9. — Wilfred Pettit, film writer, 38, was found dead aboard his yacht at Newport Harbor this morning. His screenplays include "The Swordsman," "Walls Came Tumbling Down," "Thousand and One Nights," "Bandit of Sherwood Forest" and others dating back to 1943. The widow and a sister survive.

1,965 Academy Members

HOLLYWOOD, Dec. 9. — Academy membership rose to 1,965 with the admission of 30 new members, representing ten branches. The board, announcing the membership increase, also revealed awards will be presented this year for the first time, for the best achievement in costume designing, with separate statuettes for black-and-white and color films.

Ardrey Is Promoted

Alex H. Ardrey, long active in motion picture finance activities, has been elected to the newly-created office of executive vice-president of Bankers Trust Co., it is announced here by S. Sloan Colt, president.

UA Film to Aug.

(*Continued from page* 1)

from him second-money financing of $600,000 for three, or possibly more, to be made by independents for UA release. Sears also was seeking to get other new production rolling for handling by the company about the time its present supply is exhausted.

The company has about 16 films either completed or near completion. On the basis of Universal's experiences with Abbott and Costello product, UA figures on rentals in the neighborhood of $2,000,000 for the comedy team's latest, "Africa Speaks," produced by Edward Nassour. Also counted on to bring substantial revenue are Hunt Stromberg's "Too Late for Tears," starring Lizabeth Scott and Don DeFore; Sam Bischoff's "Outpost in Morocco," George Raft and Akim Tamiroff; Mary Pickford's and Lester Cowan's "Love Happy," Marx Brothers; Amusement Enterprises' "The Lucky Stiff," Dorothy Lamour and Brian Donlevy.

'Doubtful' on Some

While these are looked upon as the more important portion of its supply, UA is not said to be doubtful to any serious extent about the box-office prospects of the remainder of the product slated for early delivery.

However, alignment with active producers for films which could be released about the middle of next year is now the company's chief concern. Helpful in this respect will be consummation of the deal with Hughes.

On another front, UA has its sights set on television as a source of revenue for the future. In the process of building a film catalogue for video, UA intends to establish itself as an important factor in the new field.

Favors Film-Video Deals

Company has taken the position that its dealings in television will neither add to nor detract from the new industry as a competitor of theatres and offered this reasoning in answer to objections raised by Theatre Owners of America.

The film company is now negotiating for television rights with its producers. In no case will a film be sold to video interests outright. Instead, product will be licensed for a specific performance and only after the product's theatrical runs, both initial and whenever possible, reissue, are completed. "Red River," for example, would not be rented to a telecaster for at least about eight years.

Murdock Services

(*Continued from page* 1)

that the arrangement provided the first motion picture enterprise to encompass in one organization all phases of the industry, from the manufacture of raw film to the presentation of the finished product on the screen.

He retired shortly after the formation of RKO and then devoted much of his attention to philanthropic work, particularly in a search for a cure and control of cancer, establishing the Murdock Research Laboratories and Clinics at Malone, N. Y., and in New York City. He is said to have contributed some $3,000,000 to those institutions.

Murdock made his home in Beverly Hills some 20 years ago. Surviving are the widow, Mrs. Grace Murdock; a son, John J., Jr., and a daughter, Mrs. Ethel Mondell of Washington, D. C.


He won't say "YES"!
She won't
take "NO"!

ala Holiday-Time Attraction at roadway's Big Capitol Theatre!

a Dore Schary presentation

Cary Grant

in DON HARTMAN'S production

Every Girl hould Be Married

co-starring

NCHOT TONE · DIANA LYNN · and introducing BETSY DRAKE

with ALAN MOWBRAY • Produced, Directed and Co-written by DON HARTMAN

Screenplay Collaboration by Stephen Morehouse Avery

RKO RADIO PICTURES



"Light, frothy comedy, delightfully acted by the dependable Cary Grant and a refreshing newcomer, Betsy Drake . . . sure-fire." —BOXOFFICE

"One of those rare comic delicacies that are always in good season at the boxoffice . . . will have a terrific payoff." —VARIETY

The kind of stuff to delight average audiences . . . it sure should make the coin boxes tinkle." —SHOWMEN'S TRADE REVIEW

"If every comedy were as deliriously funny there would be no such thing as box-office blues." —HOLLYWOOD REPORTER

"Entertaining all the way . . . made for those who enjoy laughs." —THE EXHIBITOR

"Topflight contender for honors in the comedy field." —DAILY VARIETY

The female of the species on the prowl in amusing comedy . . . fun to watch." —M. P. HERALD

"Rich comedy the family will go for in all situations." —INDEPENDENT FILM JOURNAL

"Grand boxoffice comedy . . . has wit, charm, lively pace and a polished cast." —FILM BULLETIN

Three More Testify In Griffith Hearing

OKLAHOMA CITY, Dec. 9,—Government attorneys called three operators of the Chief Theatre, independent house in Seminole, Okla., in today's Griffith hearing in an attempt to prove the house suffered through a product shortage over a 12-year period.

Joe Love, operator of the Chief from 1936 to 1946, said he got second runs throughout the period, but lost money several years because he was unable to buy better product.

William E. Dickey, Jr., who bought the house from Love, said he was able to get all the third run films he wanted but was unable to buy second runs except from minor companies which had first run rights. He sold the house to Layton Carter who testified that he too had a difficult buying problem.

Other witnesses today were James D. Guest of Duncan, Okla., and Jess Hale of Hobart, Okla.

Artkino, Classics Settle

Artkino, official distribution of Russian films in the U. S., and Film Classics have settled out-of-court their legal dispute revolving around FC's inclusion in its film, "Will It Happen Here?," some footage filmed in Russia. Artkino had brought action in New York Supreme Court for an injunction to prevent FC's use of the footage, claiming it has exclusive U. S. rights to all Russian-made film.

Cocteau Coming Here

Jean Cocteau, French producer and director, is coming here from Paris to attend the debut of his latest production, Vog Film's "The Eagle with Two Heads," which will open at the Little CineMET on Dec. 29.

Hoffberg Acquires Three

Three featurettes for 35mm., 16mm. and television distribution have been acquired by Hoffberg Productions here. They are "Memories of Shakespeare," "The Works of Charles Dickens" and "The Pearl of Nyat-San."

Review

"My Own True Love"

(Paramount)

A ROMANTIC triangle between father, son and sweetheart forms the basis of this Paramount drama, set in England during the period following the close of the last war. It comes off as an uncertain blend, very good in some parts, routine in others. The cast, both able and persuasive, is headed by Melvyn Douglas, Phyllis Calvert, Wanda Hendrix, Philip Friend and Binnie Barnes.

Douglas, a former Army officer and a widower, falls in love with Miss Calvert of the women's auxiliary corps. In time they plan to marry, but must wait for Miss Calvert's divorce to be finalized. Matters however become complicated when Douglas' son returns home, an emotionally shaken veteran who had lost a leg. Miss Calvert sympathizes with the son, portrayed by Friend, and he falls in love with her. Before long a crisis is at hand, punctuated by misunderstandings and explosive scenes. At last a desperate point is reached where the son thinks of killing himself, Douglas decides to go to Africa, and Miss Calvert prepares to run away. In the end, however, all come to their mature senses and the story closes happily.

As the daughter of Douglas, Miss Hendrix flits in and out of scenes with kittenish appeal. The screenplay, by Theodore Strauss and Josef Mischel, gets in several serious observations on the problems of veterans' post-war adjustment. Compton Bennett directed and Val Lewton produced.

Running time, 84 minutes. Adult audience classification. Release date, Feb. 4.

MANDEL HERBSTMAN

Anglo-U.S. Meet

(*Continued from page* 1)

and British industries cannot resolve their present differences and work together on a reciprocal basis, the future of both will be in jeopardy. Neither industry, he said, can survive on its domestic market alone.

He believes the March meeting of the Anglo-U. S. Film Council offers a rare opportunity for both industries to arrive at constructive understandings, providing the meeting is sufficiently representative.

Rank is a partner of Kerridge's, owning 50 per cent of the dominant New Zealand theatre circuit—Kerridge-Odeon.

Robert Kerridge, who is accompanying his brother on the current business trip, reported theatre business in New Zealand to be "very good" at present. American films account for about 70 per cent of the playing time in the 230 New Zealand theatres, Kerridge reported. British films are increasing in popularity there. They command almost 30 per cent of the playing time now, compared with less than 20 per cent a few years ago. A few French and Italian pictures also are marketable in New Zealand.

Kerridge estimated American film earnings there at approximately $4,000,000 annually, with no existing restrictions on remittances to the U. S.

The Kerridge brothers were guests of Capt. Harold Auten of United Artists at a luncheon at the Lotos Club yesterday, attended by trade press editors. They will visit in Hollywood before embarking for New Zealand.

Bar Reels in English

PANAMA, Dec. 9.—Newsreels with English narration have been barred from exhibition in local theatres by the Municipal Council of this city. Newsreels may be shown only if they carry Spanish narration or titles.

New Canadian Firm

TORONTO, Dec. 9.—Granada Films, an independent film exchange headed by I. H. Allen, has opened offices here. Allen is also general manager of Astral Films which releases Film Classics in Canada.



Republic's Singapore Suit Countered Here

A breach-of-contract suit which Republic International brought month ago in the High Court of Singapor against Eastern Film Agency, which releases Republic product in th Straits Settlements, British North Borneo and the Malayan Union, ha been reshaped in New York Supreme Court in the form of a counter-claim.

Run Run Shaw and Runme Shaw Eastern's owners, have filed the counter-claim, maintaining that the contract in question contains a clause which was included "by mistake." The clause qualifies the arrangement between the two parties as a distribution deal, whereas the Shaws claim their understanding was that they were to have become owners of the 94 pictures involved upon payment of $70,000. New York Supreme Court Justice Irving L. Levey has ordered Republic to show cause why an injunction should not be issued to halt the Singapore action.

Canadian 'Co-op'

(*Continued from page* 1)

Canada with U. S. production units.

In addition, the plan which was set up between the government and the Motion Picture Association of America, had as a secondary goal the encouragement of Canada's own film industry which has been struggling along in an embryonic stage for years.

There is, at the moment, a sharp difference of opinion on exactly how successfully the project has worked out. The chief objection comes from Canadian producers who had apparently anticipated a great increase of U. S. production in Canada and a consequent employment of Canadian studio facilities and personnel. They feel Hollywood has not lived up to its pledges, since even before the project was set up, American interests were shooting Canadian short subjects and using the Dominion for background location work.

The Canadian producers feel, furthermore, that Hollywood ought to spend some of its money with them, as was supposedly intended under the original plan, but thus far the location units that have come to Canada have failed to recruit either Canadian studio facilities or personnel.

British Video

(*Continued from page* 1)

year experimental television partnership.

Also, basis of a formula has been arrived at governing the amount of film rental BBC will pay for pictures used on its television programs. This, too, had been a stumbling block earlier. First transmission under the new arrangement will take place in January. The Producers' Association has agreed to put its library material at the disposal of the BBC.

Meanwhile, Scophony, Ltd., has acquired the assets of John Logie Baird, Britain's television pioneer, who broke with J. Arthur Rank shortly after the latter's acquisition of the Baird television process. Scophony's directors claim that they are now able to embark on large screen equipment and arrangements have been made for installations in the Capital and Provincial News Theatres in London.

Jack Buchanan, screen and stage actor, has joined Scophony's board. He was largely responsible for the original Baird financing.

GIVE NOW

THE NEED IS GREATER

Federation
OF JEWISH PHILANTHROPIES OF AMERICA
71 W. 47th St., New York 19, N. Y.

Reviews

"Whispering Smith"

(*Paramount*)

ALTHOUGH not likely to raise a voice overwhelmingly, "Whispering Smith," an Alan Ladd-starring, outdoor-action production in Technicolor, speaks the box office language of action fans.

It's a mechanized Western, about railroad development at the ending of the stagecoach period, apparently set in Rocky Mountain territory. Picturesque production appurtenances and an attractive cast help overcome some lack of ingenuity in plot.

Trouble-shooter for the line, Ladd makes quick work of the lawless Dalton Boys engaged in a series of train holdups. Then he undertakes a tougher job, that of putting an end to a series of wrecks plotted by his old buddy, Preston Foster, who became mixed up with the wrong people. Super-imposed on the Western activity is a mild romance between Foster's wife, Brenda Marshall, and Ladd.

The color enhances some picturesque sets and snow-capped mountain background scenery, setting off nicely the robust scuffles and chases which director Leslie Fenton staged with good effect. Frank Butler and Karl Lamb did the screenplay, from the novel by Frank H. Spearman. Mel Epstein was associate producer. The support includes Donald Crisp, William Demarest, Fay Holden, Frank Faylen, John Eldredge and J. Farrell MacDonald.

Running time, 88 minutes. General audience classification. Release date, Feb. 18, 1949. GENE ARNEEL

"Mexican Hayride"

(*Universal-International*)

ABBOTT AND COSTELLO, those slapstick artists of many adventures now have a merry romp South of the border, and acquit themselves even better than heretofore in terms of laughs and fun for the audience. There is little in "Mexican Hayride" that is not standard for Bud and Lou: broad farce, hectic chases, Joe Miller gags, absurd situations. What seems to give this edition of their adventures sharpened appeal, however, is added bounce and pace in the direction by Charles T. Barton who worked from a screenplay by Oscar Brodney and John Grant. Robert Arthur's production is based on a musical play by Herbert and Dorothy Fields and Cole Porter.

The rotund Costello, victimized and villainized by confidence man Abbott, has been trailed into Mexico by U. S. government sleuths. It's easy for them to spot Lou since he suffers from "Samba-itis"—he goes into a Samba dance every time he hears Samba music. But they have to keep away from Lou temporarily since he was accidentally named America's good-will Ambassador to Mexico for a week.

Meanwhile, Abbott and his fellow swindlers use Costello as a foil in their attempt to sell a fake silver mine to Mexican financiers. Funniest scene: Costello and a savage bull pause during a bullfight sequence to dance a Samba when the band breaks out with a Latin melody. In support are Luba Malina, who sings the film's only tune, plus Virginia Grey, John Hubbard, Pedro de Corda, Fritz Feld and several others in lesser roles.

Running time, 77 minutes. General audience classification. For December release. CHARLES L. FRANKE

"Desperadoes of Dodge City"

(*Republic*)

ALLAN (ROCKY) LANE once again is pitted against the forces of evil in an outdoor action drama which centers about a group of homesteaders who are prevented from crossing over a necessary route by a group of outlaws. The better-than-average screenplay provided by Robert Williams is sprinkled generously with action and gunplay.

Lane portrays a government agent who tries to gain possession of a document which authorizes a cavalry guard for a homesteader wagon-train which was scheduled for attack by a band of outlaws. This powerful group of gunmen was preventing settlers from crossing their territory. Lane and five stagecoach passengers, including the leader of the gang, are trapped in a cabin by some of the outlaws. The stage driver, played by Eddy Waller, helps Lane discover the identity of the head gunman. Lane finds the document and gets word to the cavalry in time to save the homesteaders from being killed by the outlaws. Gordon Kay was associate producer and Philip Ford directed.

Running time, 60 minutes. General audience classification.

Rockwell to 'Esquire'

Homer Rockwell, vice-president of *Liberty* Magazine for the past six years who served at various times as publisher of *Screenland* and *Silver Screen*, has joined the executive sales staff of *Esquire*. He is one of the founders and first president of the Association of Screen Magazine Publishers.

Dynamic Films Formed

Formation of Dynamic Films, Inc., with studios and offices here, has been completed by Henry Morley, president, who was formerly general manager of J. A. Maurer, Inc. Nathan Zucker is treasurer and board chairman of the new firm.

Censors Cut 18

CHICAGO, Dec. 9.—During November the Chicago board of censors reviewed 86 pictures, made 18 cuts and placed the following foreign films in the "adults only" classification: "Scampola" (Italian - Continental); "Triumph of Love" (German); "Fric-Frac" (French); "Day of Wrath" (Danish), and "The Kneeling Goddess" (Aztec).

Honor RCA Employees

CAMDEN, N. J., Dec. 9. — Gold watches and gold pins honoring 853 active and retired employes of RCA Victor for their completion of 25 or more years' service will be presented by the company at a ceremony this month.



CHARLES LAUGHTON
FRANCHOT TONE
BURGESS MEREDITH
ROBERT HUTTON
"AND THE CITY OF PARIS"
in

Coming in 1949...



"The Man on the Eiffel Tower"

in Ansco Color

also starring

JEAN WALLACE
PATRICIA ROC
BELITA

Produced by IRVING ALLEN
Directed by BURGESS MEREDITH
Screenplay by Harry Brown
Based on novel by George Simenon
Costumes by Jacques Griffe and Robert Piquet

Accurate Concise and Impartial

MOTION PICTURE DAILY

FILE COPY DO NOT REMOVE

FILM NEWS

MR. JOYCE O'HARA,
MOTION PICTURE ASSOC. OF AMERICA,
28 WEST 44TH ST., 21ST FL.
NEW YORK, N. Y.

VOL. 74. NO. 113 NEW YORK, U.S.A., MONDAY, DECEMBER 13, 1948 TEN CENTS

Grosses Rise At 1st-Runs In Key Cities

Together They Report Best Week Since April

A pronounced rise was registered in theatre grosses last month, according to box-office reports on some 170 key situations received from MOTION PICTURE DAILY field correspondents. Meanwhile, the last week of the month, which included the Thanksgiving holiday, was the best week since the first week of April, producing an income average of $17,254.

Average income for November rose to $15,180, from October's $14,797. Weekly average gross per theatre for November of last year was $16,483.

The picture which appeared most frequently in last month's reports as a box-office leader was "Johnny Belinda," followed closely by "The Three Musketeers" and "Red River," only a small margin away from tying for second spot.

Other films which appeared fre-

(*Continued on page 5*)

Ask Press to Aid Brotherhood Week

An appeal for trade press assistance in the Brotherwood Week campaign, Feb. 20-27, was made by Ned E. Depinet, chairman of the motion picture division of the campaign, at a luncheon at the 21 Club here on Friday. Publishers and editors of the industry press were Depinet's guests.

"There is no more important segment of our business involved in the Brotherhood work than our trade press," Depinet said. "All other

(*Continued on page 4*)

Cole vs. M-G-M Trial Will Resume Today

LOS ANGELES, Dec. 12.—Trial of Lester Cole's suit against M-G-M for reinstatement of his contract, which was suspended following his appearance before the House Un-American Activities Committee, will be resumed here this afternoon before Federal Judge Leon Yankwich.

The jurist was in conference with opposing counsel Friday afternoon after counsel for Cole played for the jury a transcription of the Oct. 30, 1947, hearing at which Cole was interrogated by the House group.

Arnall Set to Take Top SIMPP Post

HOLLYWOOD, Dec. 12.—Former Governor Ellis Arnall of Georgia is expected to accept the top executive post in the Society of Independent Motion Picture Producers, probably at a get-acquainted dinner which SIMPP is tendering him at Perino's Restaurant here tonight.

SIMPP has been without an executive head since Donald M. Nelson resigned a year ago. The post was offered to Arnall several weeks ago and he has had it under consideration since.

Arnall arrived here from Atlanta by plane yesterday and will address the full membership of SIMPP at tonight's dinner meeting.

Under the SIMPP constitution a president can be elected only by the board of directors which includes all members of the organization. Tonight's dinner is the first such meeting since the post was offered to Arnall, whose presence tonight indicted acceptance.

Group to Probe UK Industry Is Named

LONDON, Dec. 12.—Seven of the eight members of the government committee to probe industry-wide operations have been announced here by Harold Wilson, president of the Board of Trade.

They are: Lord Portal, former associate of J. Arthur Rank in the formation and original financing of General Film Distributors, who is chairman of the committee; Barrington C. Gain, Rank's chief financial adviser and, until the recent Odeon-General Cinema Finance merger, a director of several of Rank's film companies; Prof. Sir Arnold Plant, member of the Cinematograph Films

(*Continued on page 5*)

Studio Employment Rose in October

Hollywood, Dec. 12. — Employment in studios was up in October from September, which in turn was up from August, according to California Bureau of Labor statistics. The bureau, which regards the 1940 average as 100 per cent in its reports, lists October employment as 77.1 per cent, which compares with 74.3 in September. The figure one year ago was 97.8.

Average weekly earnings for October were $98.67.

Griffith Trial Off to Jan. 24 Amid Tilt

OKLAHOMA CITY, Dec. 12.—Hearing before Federal Judge Edgar S. Vaught to determine a final ruling in the Griffith anti-trust case halted on Friday during bitter haggling between government and defense counsel over the credibility of a witness. The proceedings were recessed until Jan. 24.

Volney Hamm, operator of second-run houses in Altus, Frederick and Elk City, Okla., was being cross-examined by Charles Cochran, defense counsel, when Judge Vaught called off the hearing which opened on Nov. 30.

In a review of his efforts to buy product over a 10-year period starting in 1938, Hamm charged repeatedly that distributors would not offer him the opportunity to buy first runs because of commitments made by their superiors to the defendant circuit. He alleged that this interference has continued as recently as last summer when a branch manager here discouraged his plans to remodel a house at Elk City.

Cross-examination by Cochran on the methods used by Hamm in acquir-

(*Continued on page 4*)

Procedure Altered for Film, Equipment Exports

WASHINGTON, Dec. 12.—Companies or individuals planning to ship films or equipment abroad next year had better check the revised Commerce Department schedule "B" list to make certain their commodity numbers are still the same, Commerce advises.

Schedule "B" is the list from which shippers take commodity numbers to put on their shippers' export declarations. These declarations must accompany each shipment, and U. S. Customs officers will not pass shipments without the correct commodity number. Moreover, in cases where licenses are required, the schedule number must be on the license.

Commerce has just issued a new and revised schedule "B," the first revision since 1945. It will go into effect on Jan. 1. Commerce officials said that they did not believe there are many changes in the numbers for film classifications. However, most equipment numbers have been changed, they declared.

Latest Para. Decree Move Unsuccessful

Settlement Possible But Slim As Talks Fail Again

Paramount's most recent and apparently most determined effort to strike an agreement with the government on settling its part of the industry anti-trust suit was unsuccessful, it was disclosed here on Friday. The disclosure followed two days of meetings between executives of the company and the Department of Justice in Washington.

Paramount was said to be firmer than ever in its conviction that it figures to lose less of its theatre holdings in the courts as against the sweeping divestiture it would have to make to satisfy the government in order to effect a settlement.

However, it was pointed out that the door is still open for further discussions with the Justice Department

(*Continued on page 4*)

Film Salesmen Okay Union Membership

Results of a National Labor Relations Board election among the country's 1,000-odd film salesmen made effective at the weekend a maintenance of membership in the Colosseum of Motion Picture Salesmen of America, it was reported on Friday by Colosseum attorney David Beznor, who came here from Milwaukee to be on hand for the counting of NLRB ballots.

Such an election is required under the National Labor Relations Act fol-

(*Continued on page 5*)

MGM Sales Toppers To See New Product

Marking the first time they will get together since they convened in New York in April, 1947, M-G-M will call its entire executive field sales force of 46, comprising sales managers, their assistants, and district and branch managers, to Los Angeles, Feb. 6-12, to see new product far in advance of general release, William F. Rodgers, sales vice-president, announces.

Approximately 15 pictures will be screened, as well as a number in rough form. The pictures will represent part of the product to be released starting in March.

U-I Chiefs Set 5 New-Film Campaigns

At a series of meetings concluded at the home office Friday, promotional plans for five future Universal-International releases were formulated. Included in the program are personal appearances, territorial premieres, world premieres and newspaper and radio tieups.

John Joseph, national advertising-publicity director, and David Lipton, coordinator, came here from Hollywood to participate in the conferences with N. J. Blumberg, president; W. A. Scully, sales vice-president, and Maurice A. Bergman, Eastern advertising-publicity director.

"Family Honeymoon," which will have its premiere at the Music Hall here in February, will get its kickoff with a "Family Honeymoon Week," tied in with national radio programs on contests to send lucky families on "family honeymoons" to Chicago, Miami, Sun Valley and New York. "The O'Flynn" will have its premiere in Washington, D. C., before government officials and Naval officers. Douglas Fairbanks will make a tour of 10 cities in advance of the opening, meeting the press, talking at civic club luncheons on behalf of CARE and the United Nations, in which he is active, and appearing on stage in some cities.

A territorial premiere for "The Life of Riley" will be held in Cincinnati. Tie-up plans are now being made with Procter and Gamble, sponsors of "The Life of Riley" radio show. "City Across the River" will have premieres simultaneously in New York, Chicago, Detroit, San Francisco and Washington. Stephen McNally, star of the picture, will make personal appearances. "Red Canyon," starring Ann Blyth, Howard Duff and George Brent, will have a territorial premiere in Texas.

E-L Sets $600,000 To Promote Four

Eagle-Lion Films has allotted $600,000, one of the largest budgets in its history, for an initial advertising-promotion appropriation for four of its new releases, Max E. Youngstein, advertising vice-president, reports.

The pictures are: "He Walked by Night," "Reign of Terror," "Tulsa" and "Red Stallion in the Rockies."

Foy Film Slated to Reopen E-L Studio

HOLLYWOOD, Dec. 12.—Eagle-Lion's studio, which has been shut since November, will resume activity about Jan. 15 when Bryan Foy's production of "Secret Service, U.S.A." (formerly entitled "Trapped") will go before the cameras, with Lew Seiler as director.

Ellis Circuit Celebrates

PHILADELPHIA, Dec. 12. — The A. M. Ellis Theatre Co., which operates 23 houses in this area today wound up a week of celebration of its 15th anniversary. The observance started last Sunday with a testimonial dinner at the Broadwood Hotel here for A. M. Ellis, president.

Personal Mention

NICHOLAS M. SCHENCK, Loew president, will leave here today or tomorrow for his Miami home for the holidays. He will be joined there by JOSEPH M. SCHENCK who will go directly from the Coast.

•

MILTON E. COHEN, Eagle-Lion Eastern sales manager, was in Dallas and Atlanta over the weekend from New York.

•

WILLIAM F. RODGERS, M-G-M distribution vice-president, plans to leave here next Saturday for a brief stay in Florida.

•

SAM L. SEIDELMAN, Eagle-Lion foreign operations head, left here by plane at the weekend for Mexico.

•

JOHN JOSEPH, Universal-International advertising-publicity head, left here at the weekend for Hollywood.

•

LOUIS ASTOR, Columbia circuit sales executive, will leave here today for Philadelphia.

•

JIMMY SARNO, Paramount studio publicist, will leave here tomorrow for the Coast.

NATE BLUMBERG, Universal president, has left here for Hollywood where he will spend the holidays with his family.

•

LEONARD SPINRAD, Warner home office publicist, and MRS. SPINRAD have become parents of a daughter. SPINRAD is en route to England on a special assignment.

•

ROSS S. WHEELER, Washington branch manager for Screen Guild Productions, and MRS. WHEELER have become the parents of a son, ROSS, JR.

•

LAWRENCE H. LAPIDUS was married to LOIS ELAINE LIFF yesterday at the Park Lane Hotel here. He is the son of JULES LAPIDUS, Warner Eastern and Canadian division sales manager, and MRS. LAPIDUS.

•

SAM SHAIN, 20th Century-Fox exhibitor relations head, returned to New York over the weekend from Oklahoma City.

•

MAX COHEN, Film Classics Eastern division manager, will leave New York today for Philadelphia and Pittsburgh on a tour of his territory.

Warner Stressing Comedies, Musicals

With exhibitors asking for more comedies, musicals and outdoor films as one answer to box-office problems, Warner's roster of product planned thus far for release in 1949 reveals that the studio has placed production emphasis on this type of film fare. Of 25 features in varying stages of production or completed, 14 come under this trio of headings.

Legion of Decency Pledge Is Renewed

The annual pledge to abide by the Legion of Decency's rulings on objectionable and condemned motion pictures was administered yesterday in Roman Catholic churches throughout the country, except in the Archdiocese of Los Angeles where it was given last Sunday.

NSS Names Elelman To Succeed Benjamin

Milton Elelman will replace Paul Benjamin, retiring head of National Screen Service's production department, it was disclosed at a luncheon given in Benjamin's honor at the Astor Hotel here on Friday. Elelman has been assistant to Benjamin.

Goldstone Acquires 3

Famous Pictures Film Exchange of New York has acquired distribution rights to three former Paramount releases for distribution in the Metropolitan area and Upper New York State, it is announced by Harry Goldstone of Famous Pictures. The films, all of which star Charles Laughton, are: "The Sidewalks of London."

Trial of Stern - Levy Case Resumes Jan. 11

Jan. 11 was set in New York Supreme Court here at the weekend as the date for argument of defense attorney Monroe E. Stein's motion to examine executives of 20th - Fox, Warner and Paramount, and also Isador Lubin and Jack Levin, Confidential Reports executives, in connection with the two-year-old percentage suits brought by the three companies against Jesse L. Stern and Abram H. Levy. Plaintiffs are seeking an accounting of profits.

Stein, in a counter-claim by Stern and Levy, has charged that use of Confidential Reports by the three companies represents an illegal conspiracy.

Falls Chief Barker Of Okla. Variety

OKLAHOMA CITY, Dec. 12.—Horace R. Falls has been reelected chief barker of the Oklahoma City Variety Tent. C. A. Gibbs was named first assistant barker, Dan James, second assistant, and Grover Livingston and Jess Bolman filled "dough guy" and property manager, respectively.

New directors will be C. B. Akers, J. C. Hunter, Tulsa; Charles B. Hudgens, Oklahoma City; C. W. Weaver, Oklahoma City; Harry McKenna, Oklahoma City, and Bill Slepka, Okemha.

MacFadden to Speak

The government's overseas film program will be discussed by Hamilton MacFadden, associate chief of the Department of State's international motion picture division, and other speakers at a luncheon-meeting of the New York Film Council at the Hotel Sheraton here Wednesday.

Newsreel Parade

THE Berlin elections and the Red spy probe at home are current newsreel highlights. Other items include the arrival of Cuba's President Prio, fashions, sports, etc. Complete contents follow:

MOVIETONE NEWS, No. 99—Western Berlin votes against Communism. U. S. Marines land in China as Red peril grows. Americans evacuated from China. Red spy inquiry.

NEWS OF THE DAY, No. 229—Berlin voters defy Red terror. Vice-president-elect Barkley greeted by Gov. Warren. President Truman greets President Prio of Cuba. U. S. Marines in China. Co-eds play football.

PARAMOUNT NEWS, No. 32—World's biggest war plane gets screening test. New sensation at spy inquiry. Bogus $10 and $20 bills flood big cities. Report from China.

UNIVERSAL NEWSREEL, No. 202—Crisis in Asia. President Prio of Cuba arrives. Hangmen's trial in Holland. Fashions. Spy probe. Cat show.

WARNER PATHE NEWS, No. 34—People in the news: President Prio of Cuba with President Truman; Vice-president rivals Barkley and Warren; Doak Walker; Reds routed in Berlin election. Americans flee Red tide in China. Nab passer of near-perfect bills. Wild geese farm. Unusual auto. Great Americans: Clara Barton.

RKO Holds Depinet Drive Meet Today

Len S. Gruenberg, RKO Radio metropolitan district manager, will preside at the first meeting of the 1949 "Ned Depinet Drive" today at the company's exchange here. Gruenberg is one of the 11 district managers acting as drive captains in this 12th annual competition which will get under way on Dec. 17.

Charles Boasberg, North-South division manager, and his assistant, Carl Peppercorn, will attend, also members of the New York exchange sales staff headed by Phil Hodes and consisting of Herman Silverman, Charles Penser, Lou Kutinsky, John Dacey and William Hartman, office manager.

Lapidus to Hold Meet

Warner's New England sales heads will convene at the home office here tomorrow for a meeting with Jules Lapidus, Eastern and Canadian division manager. Attending the parley will be George W. Horan, Boston; R. S. Smith, Albany; E. A. Catlin, Buffalo; Carl Goe, New Haven.

Judge 'Round Table' 'Youth' Competition

Judging in the selection of a winning contestant for the special *Quigley Award* in the "Youth Month Competition 1948" was conducted here at the weekend. Judges were Paula Gould, head of publicity for the Capitol Theatre here; Bea Ross of the exploitation department of Republic Pictures, and Blanche Livingston, of RKO Theatres. Their decision will be disclosed in the *Motion Picture Herald's* Round Table Section of Dec. 18.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager: Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

IT NEVER HAPPENED BEFORE!

NEW BOX OFFICE HISTORY WRITTEN as public demand for reserved seats makes necessary engagement of the *second* Times Square Theatre, where "Joan" will run on two-a-day basis at TOP ROAD SHOW SCALE!

This IN ADDITION to the continuing fabulous World Premiere engagement at the Victoria, where 7-shows-daily, continuous-performance grosses are piling up that look almost impossible for ANY 1,100-seat house, even at highest Broadway scales!

TOO BIG FOR ONE THEATRE

Unprecedented public demand has made it necessary to also engage the FULTON THEATRE, STARTING TUESDAY DEC. 14th for reserved seat showings of

"JOAN OF ARC"

which will still continue at the Victoria Theatre, with continuous performances, 7 shows daily.

Reserved Seats at the

FULTON
46th St. West of B'way
Circle 6-6380

Mail Orders Filled Promptly. Seat Sale Starts Friday for First 6 Weeks.

REGULAR PERFORMANCES:
Twice daily at 2:30 and 8:30 PM Saturdays 2:30, 5:30, 8:30 and 11:30 PM
Sundays 2:30, 5:30 and 8:30 PM

CHRISTMAS WEEK SCHEDULE:
Christmas Day Dec 25th, 2:30, 5:30, 8:30, 11:30 Christmas Week, Daily from Dec 27th thru Dec 31st, 10:30 AM, 2:30, 5:30, 8:30

PRICES AT FULTON
Matinees: $1.80 Evenings: $2.40 (tax included)

SPECIAL NEW YEAR'S EVE SHOW AT MIDNIGHT



JOAN OF ARC
starring INGRID BERGMAN
A VICTOR FLEMING PRODUCTION
COLOR BY TECHNICOLOR
CAST OF THOUSANDS
with JOSE FERRER
FRANCIS L. SULLIVAN · J. CARROL NAISH · WARD BOND
SHEPPERD STRUDWICK · HURD HATFIELD · GENE LOCKHART
JOHN EMERY · GEORGE COULOURIS · JOHN IRELAND
and CECIL KELLAWAY · based upon the stage play "Joan of Lorraine" by MAXWELL ANDERSON
screen play by MAXWELL ANDERSON and ANDREW SOLT
art direction by RICHARD DAY
director of photography JOSEPH VALENTINE A.S.C.
Produced by WALTER WANGER
Directed by VICTOR FLEMING
presented by SIERRA PICTURES Inc.
released by RKO RADIO PICTURES

Continuous at the

VICTORIA
B'way at 46th Street

7 Shows Daily, Starting 9 A.M., 11:30, 2 P.M. 4:30, 7, 9:30, 12 Midnight.

A pair of reserved seats for 'Joan of Arc' makes the ideal Christmas gift!

SAVE THIS AD for complete Holiday week performance schedule of 'Joan of Arc'

(This kind of advertising in all New York newspapers.)

Released by RKO RADIO PICTURES

In Business Only 2 Months, Sues Majors

CHARLOTTE, Dec. 12.—The Center Theatre, owned and operated by H. B. Meiselman Theatres, has filed a damage and injunction suit here against the eight major distributors, two theatre companies, and the operator of three other theatres, charging them with violating the anti-trust laws by refusing to give the new Center first-run pictures.

No figure is named in the suit, but attorneys estimate that damages will amount to $250,000 by the time a decision is handed down, which would be trebled to $750,000.

The complaint charges that the Center, which opened on Oct. 7, will be forced to close soon if the conspiracy continues, and asks a preliminary injunction to get the theatre first-run films, as well as a permanent injunction later.

According to the complaint, the Center has opened in a new business section surrounded by a good residential district, and asks to be treated as a first-run house, and is willing to pay for first-run films. It declares that the nearest first-run is almost two miles away. Despite this, the complaint says, the distributors have refused to give the Center any but second- and third-run features.

In addition to the eight distributors, defendants include the Charlotte Amusement Co., Strand Theatres Co., Inc., and H. F. Kincey, operator of the Broadway, Imperial and Carolina.

The suit was prepared by the Washington law firm of Claggett and Schilz.

6th WB Stockholder Suit

Marking the sixth such action to be taken since Sept. 20 against the same plaintiffs, Warner minority stockholder Bernard M. Geller filed at the weekend in U. S. District Court here a suit against United States Pictures, Warner Brothers, Joseph Bernhard, Robert W. Perkins, Milton Sperling, Harry M. Warner, Jack L. Warner and Morris Wolf, alleging conspiracy in behalf of United to the detriment of Warners. Suit asks for an accounting on a production-distribution deal made in 1945 between the two companies.

TUESDAY, DEC. 14
HOTEL ASTOR
Federation of
Jewish Philanthropies
TESTIMONIAL
LUNCHEON
MAYOR
WILLIAM O'DWYER
Guest of Honor
•
Tickets now on sale!
Room 168
HOTEL ASTOR
Circle 6-6460

Reviews

"One Sunday Afternoon"

(*Warner Brothers*) *Hollywood, Dec. 12*

PRODUCER Jerry Wald, just about the most versatile producer now batting out hits for tired box-offices, steps up to the plate this time with a Technicolor and tuneful version of the James Hogan stage piece previously filmed by Warner as "The Strawberry Blonde." Quite as proficiently as he dealt with tears and turmoil in "Johnny Belinda," producer Wald dishes out laughs and song numbers, punctuated now and then with pertinent observations, in this totally different offering. With Dennis Morgan, Janis Paige, Ben Blue, Dorothy Malone and Don DeFore in the principal roles, it makes a trim item for anybody's marquee and screen at this or any other season.

The period, it will be remembered, is 1900 and the scene is New York, where Morgan, a dentist, is called upon to give relief to DeFore, stricken with a toothache, on an otherwise pleasant Sunday afternoon. While awaiting his reluctant client's arrival, Morgan reviews in memory the events, beginning 10 years before, leading to the breakup of his friendship with DeFore due to the latter's having married the girl, Miss Paige, with whom both were in love, and having allowed him to go to prison for a construction-job failure actually attributable to DeFore. Morgan, who subsequently married Miss Malone, plans to take a painful revenge on DeFore when he gets him in the dental chair, but changes his mind when he sees what havoc the years have wrought upon his former rival and the girl he took from him.

Although the central story is touched with seriousness, the picture is handled, in the main, as a comedy, with Blue coming through strongly in the humor department, and as a musical, with Morgan outstanding in the handling of numbers. Settings, investiture, tempo and tone are altogether shipshape, and straight entertainment is the keynote throughout. Raoul Walsh directed, from a script by Robert L. Richards, and the new music is by Ralph Blane.

Running time, 90 minutes. General audience classification. Release date, not set.

WILLIAM R. WEAVER

"An Old-Fashioned Girl"

(*Eagle-Lion*)

IN FILMING Louisa May Alcott's famed story about a girl who causes many eyebrows to raise in Boston society in the 1870's by going out to earn her own living, Vinson Productions, for Harry Thomas' Equity Pictures, has used an appropriate title.

Gloria Jean has the lead in this slow-paced film which is brightened only in spots, especially when Miss Jean's voice, or the violin solo of Saundra Berkova interrupts the dialogue. Jimmy Lydon manages to introduce a note of comedy here and there.

An Eagle-Lion release, "An Old-Fashioned Girl" was adapted and written for the screen by Arthur Dreifuss and McElbert Moore, who must have had the very young in mind when writing the script. Dreifuss produced and directed with an apparent effort to keep things as simple as possible. As a result, the film may find acceptance and favor with family audiences who also may enjoy the musical numbers and the performances of some of the young actors. Joseph Levinson was executive producer.

This little story of love and intrigue in old Boston starts with the arrival of Miss Jean in the "big city." She scandalizes her friends by deciding to stay in a rooming house and earn her living by giving singing lessons. John Hubbard, loved by Frances Rafferty, finds Miss Jean very attractive. Gloria, in turn, is secretly in love with Jimmy Lydon, Frances' brother.

Miss Jean is snubbed by Frances' friends, and especially by Jimmy's fiancee, Barbara Brier. Frances' young sister, Mary Eleanor Donahue, who gives a refreshingly good performance, gets active behind the scenes and in the end the right couples are united, especially after Douglas Wood, Frances' and Jimmy's father, goes broke.

Running time, 82 minutes. General audience classification. Release date, not set.

Another Delay for Lawson, Trumbo Case

WASHINGTON, Dec. 12.—Arguments on the appeals of John Howard Lawson and Dalton Trumbo, film writers convicted of contempt of Congress, are probably off until March or later, with the request of the government yesterday to put off until late January the deadline for filing government briefs in the two cases.

Government attorney W. A. Hitz yesterday asked the U. S. Circuit Court of Appeals to give him until Jan. 17 to file his answer to the Lawson appeal and until Jan. 24 to file the Trumbo answer. The former was due yesterday, the latter tomorrow.

It's Roy, Not Foy

Due to an error in transmission, MOTION PICTURE DAILY on Dec. 7 identified A. M. Roy, newly appointed Utica city manager for Warner Theatres, as A. M. Foy.

$600-Million Theatre Candy Sales in 1948

Theatre candy sales in 1948 are expected to gross $600,000,000, exceeding 1947 returns by $100,000,000, according to a spokesman for the National Confectioners' Association.

While only approximately one per cent of the estimated 2,000,000 retail outlets for candy in the U.S. are theatre candy counters, those theatres sell 27 per cent of the candy purchased during the year.

The NCA spokesman observed that the volume of candy sales in theatres would be even greater if the lobby or auditorium counters were kept open longer. It was pointed out that too many counters close simultaneously with the box-office, in which case many patrons attending the last performance are unable to make purchases.

Brotherhood Week

(*Continued from page* 1)

branches of the industry depend greatly on your support. Last year you were particularly generous in providing space for the Brotherhood Week message."

Depinet enumerated four projects which will comprise the basic part of the industry's campaign program. Every theatre, he said, will be asked to display the Brotherhood Week poster in its lobby; will be asked to run the newsreel stories of Brotherhood; to stage a special Brotherhood Week observance on-stage, in the lobby or foyer, and to obtain a minimum of 10 new members for Brotherhood, each making a contribution of $1 or more.

The special material required for fulfilling the four basic projects is now being prepared and much of it will be available to exhibitors soon.

Dr. Everett R. Clinchy, president of the National Conference of Christians and Jews, sponsor of Brotherwood Week, described the campaign activities of other communications media.

Gilbert Golden, Warner Brothers advertising manager, reported on campaign plans for the advertising-publicity division, which he heads. Golden also cited opportunities for improving the public relations of the industry which are afforded by its identification with a recognized movement to improve national unity by the elimination of bigotry.

Para. Decree Talks

(*Continued from page* 1)

and a consent decree still remains a possibility, although remote.

Huddles with the Department in Washington took place on Wednesday and Thursday, with the participants including Leonard Goldenson, Paramount vice-president in charge of theatre operations; Robert O'Brien, corporate secretary, and Walter Gross, legal department assistant.

A day-long meeting of company officials was held on Friday at the home office, but this was said to concern itself only with the company's financial operations and in no way with the trust case.

Barney Balaban, president, presided, and those present included Goldenson, O'Brien, Austin Keough, vice-president and general counsel, and Edwin L. Weisl, board member.

The Department of Justice will oppose any further postponement in the Paramount case hearings, set for Dec. 20, even over the coming holidays, a spokesman for the Department said meanwhile in Washington.

Griffith Trial

(*Continued from page* 1)

ing the Elk City house in order to show that he took a lease out from under a woman who had it for 20 years brought objections by Justice Department attorney Milton Kallis.

Cochran also brought out, over objections by Kallis, that Hamm has owned a dozen different houses in as many cities during the past 20 years.

The government made two attempts to bring the competitive situations in Griffith towns up-to-date in the record, but one of them backfired when Charles Mahone of Hobart told Cochran he sold the house because he wanted to retire after having left the impression, under probing by Kallis, that he sold out to C. B. Akers because of the product shortage.

Cameramen to Draft New Pact Demands

Membership of IATSE Cameramen's Local No. 644 will meet here tomorrow evening to draft new contract demands for presentation to eastern short subject producers before Jan. 1, Walter Lang, the local's business agent, reports. Last year the cameramen won a $35-per-week general pay increase after months of negotiations.

...n Salesmen

(*Continued from page* 1)

...owing agreement between management and a union on contract terms. Colosseum signed its first pacts with 1 distributors recently.

Favoring a "maintenance of membership" by the majority of the Colosseum's members means that salesmen who are now Colosseum members must remain as such at least until new contracts are signed with distributors.

Funk Elected President of Chicago's Colosseum Lodge

CHICAGO, Dec. 12.—At an election of officers of the Chicago lodge of the Colosseum of Motion Picture Salesmen, held today at the Sheraton Hotel here, the following film salesmen were elected: Robert Funk, Universal-International, president; Jack Eckhardt, 20th-Fox, treasurer; Simon Lax, Columbia, secretary.

Flaherty Quits Colosseum

CHICAGO, Dec. 12.—Frank Flaherty, former president of the Chicago lodge of the Colosseum of Motion Picture Salesmen of America, vice-president of the national organization, and Columbia circuit salesman for 15 years, has announced his resignation from both Columbia and the Colosseum. Flaherty will operate the Karlov Theatre here, which he recently purchased, and also the Kedzie Annex, Kedzie and Garfield theatres, in which he has a partnership affiliation with Charles Landau.

Riccardi Petrillo's Aid

A. Rex Riccardi has been appointed first assistant to James C. Petrillo, president of the American Federation of Musicians, succeeding Harry J. Steeper, who has been elected international treasurer of the union. During the past five years an assistant in Petrillo's office, Riccardi has been responsible for motion picture, recording, transcription and booking agent affairs of the AFM.

Chakeres Switches Two

LOUISVILLE, Dec. 12.—James Atterbury, former assistant manager of the Capitol Theatre in Frankfort, has been named manager of the newly acquired Trail Theatre in Morehead, Ky., with Ben Hathaway, formerly assistant manager of the Fairborn in Fairfield, Ohio, succeeding Atterbury, it is announced here by Gene Lutes, district manager of Chakeres Kentucky Theatres.

Four Classed 'Adult'

TORONTO, Dec. 12. — The Ontario Censor Board has placed four features in the adult classification, which means they are not to be shown at performances principally attended by juveniles on Saturdays and holidays. The four are: "Sorry, Wrong Number," "Johnny Belinda," "Hollow Triumph" and "Larceny."

Review

"Bungalow 13"

(20th Century-Fox)

A TOUCH of variation is given to this melodrama by the fact that its entertainment values do not derive mainly from a murder mystery element. Margaret Hamilton definitely takes the spotlight with her characterization of a nosey middle-aged would-be authoress who becomes constantly involved in the action but not in the central plot.

The story concerns a private detective, played by Tom Conway, who is on the trail of a rare Chinese carved jade. The hunt takes him to an auto court where, after two killings, he finally solves the mystery of the stolen antique as well as the murders. Miss Hamilton enters the picture as a resident of the motor court who becomes busily interested in the mystery. All she manages to do is to constantly get in the hair of the detective and the police, but she is consistently amusing.

Edward L. Cahn directed the film, which does not build appreciable suspense, although there are several exciting fights and incidental knife tossing. The siren of the piece, who appears only a few times before she is murdered, is well played by Marjorie Hoshelle. Conway is good as the detective. Sam Baerwitz produced the picture and collaborated on the story and screenplay with Richard C. Hubler.

Running time, 65 minutes. General audience classification. November release.

Grosses Rise at 1st-Runs

(*Continued from page* 1)

quently as better-than-average grossers, were: "Julia Misbehaves," "A Song Is Born," "Road House," "June Bride," "Hamlet," "When My Baby Smiles at Me," "Rope," and "Kiss the Blood Off My Hands."

Registering strongly also, but to a somewhat lesser degree, were: "Sorry, Wrong Number," "Good Sam," "Apartment for Peggy," "Miss Tatlock's Millions," "Dream Girl," "Sealed Verdict," "The Velvet Touch," "Gallant Blade," "The Night Has a Thousand Eyes," "The Snake Pit," "Isn't It Romantic?," "Embraceable You," "Raw Deal," "The Search," "Cry of the City," "Station West," "Rogue's Regiment," "Pitfall" and "Fighter Squadron."

Composite key city box-office reports for 1948 to date, compared with corresponding weeks of 1947, follow:

1948 Week Ending	No. of Theatres	Total Gross	Average Per Theatre
Jan. 2-3	179	$3,406,600	$19,031
Jan. 9-10	168	3,112,700	18,528
Jan. 16-17	168	2,473,300	14,722
Jan. 23-24	166	2,419,000	14,572
Jan. 30-31	166	2,341,900	14,108
Feb. 6-7	167	2,537,800	15,196
Feb. 13-14	166	2,381,500	15,546
Feb. 20-21	164	2,316,500	15,125
Feb. 27-28	167	2,734,100	16,372
Mar. 5-6	165	2,372,700	14,380
Mar. 12-13	165	2,441,800	14,799
Mar. 19-20	175	2,626,860	15,010
Mar. 26-27	162	2,356,800	14,548
April 2-3	171	2,953,500	17,272
April 9-10	169	2,740,000	16,213
April 16-17	175	2,493,600	14,249
April 23-24	167	2,284,000	13,677
April 30-May 1	159	2,232,300	14,049
May 7-8	167	2,416,500	14,470
May 14-15	167	2,301,200	13,780
May 21-22	149	2,118,300	14,217
May 28-29	158	2,241,100	14,184
June 4-5	166	2,577,400	15,527
June 11-12	172	2,287,800	13,304
June 18-19	176	2,340,300	13,297
June 25-26	170	2,396,500	14,097
July 2-3	167	2,476,300	14,828
July 9-10	161	2,499,000	15,522
July 16-17	170	2,418,900	14,229
July 23-24	172	2,577,800	14,987
July 30-31	170	2,438,600	14,345
Aug. 6-7	173	2,482,800	14,351
Aug. 13-14	171	2,575,500	15,061
Aug. 20-21	175	2,577,800	14,730
Aug. 27-28	166	2,430,400	14,641
Sept. 3-4	172	2,463,500	14,323
Sept. 10-11	168	2,722,000	16,202
Sept. 17-18	171	2,405,700	14,074
Sept. 24-25	154	2,262,500	14,692
Oct. 1-2	163	2,332,800	14,312
Oct. 8-9	160	2,387,500	14,922
Oct. 15-16	172	2,529,200	14,705
Oct. 22-23	159	2,349,800	14,779
Oct. 29-30	161	2,379,900	14,782
Nov. 5-6	166	2,383,300	14,357
Nov. 12-13	169	2,570,000	15,207
Nov. 19-20	176	2,680,700	15,231
Nov. 26-27	175	2,424,600	13,855
Dec. 3-4	180	3,105,700	17,254

1947 Week Ending	No. of Theatres	Total Gross	Average Per Theatre
Jan. 3-4	167	$3,678,100	$22,024
Jan. 10-11	173	3,363,200	19,400
Jan. 17-18	173	3,007,300	17,383
Jan. 24-25	176	3,043,700	17,294
Jan. 31-Feb. 1	181	2,293,600	18,197
Feb. 7-8	177	3,089,600	17,495
Feb. 14-15	177	2,767,900	15,638
Feb. 21-22	182	3,042,700	16,718
Feb. 28-Mar. 1	166	2,800,300	16,869
Mar. 7-8	178	2,906,400	16,328
Mar. 14-15	174	2,890,300	16,610
Mar. 21-22	173	2,922,900	16,895
Mar. 28-29	178	3,069,500	17,245
April 4-5	179	2,838,800	15,859
April 11-12	184	2,233,500	17,606
April 18-19	177	2,973,400	16,798
April 25-26	183	2,917,900	15,945
May 2-3	177	2,699,800	15,253
May 9-10	175	2,578,100	15,732
May 16-17	176	2,650,400	15,059
May 23-24	169	2,369,100	14,018
May 30-31	173	2,590,100	14,972
June 6-7	178	2,834,800	15,926
June 13-14	165	2,511,700	15,222
June 20-21	170	2,579,400	15,173
June 27-28	174	2,557,000	14,695
July 4-5	163	2,507,300	15,382
July 11-12	169	2,734,800	16,182
July 18-19	174	2,555,900	14,689
July 25-26	156	2,561,700	16,421
Aug. 1-2	160	2,511,500	15,696
Aug. 8-9	166	2,612,700	15,742
Aug. 15-16	164	2,622,300	15,989
Aug. 22-23	170	2,931,800	17,246
Aug. 29-30	164	2,786,700	16,992
Sept. 5-6	159	2,829,000	17,192
Sept. 12-13	170	2,855,600	16,209
Sept. 19-20	167	2,716,800	16,268
Sept. 26-27	172	2,845,000	16,541
Oct. 3-4	177	2,852,100	16,113
Oct. 10-11	171	2,665,900	15,590
Oct. 17-18	176	2,923,900	16,613
Oct. 24-25	177	2,956,600	16,704
Oct. 31-Nov. 1	177	3,029,500	17,116
Nov. 7-8	178	3,082,600	17,318
Nov. 14-15	175	2,937,800	16,781
Nov. 21-22	174	2,821,800	16,217
Nov. 28-29	164	2,416,300	14,733
Dec. 5-6	166	2,883,100	17,368

Philippine Deal Set

Closing of a deal with Senator Tomas L. Cabili of Manila for 16mm. rights to all of the Hopalong Cassidy features, besides other features and shorts for the Philippines has been announced here by Jacques Kopfstein, Astor Pictures executive.

Appoint Buchanan & Co.

Buchanan and Co. of New York and Hollywood has been appointed to handle the advertising campaign for "Champion," produced by Screen Plays, Inc., for United Artists release, it is announced by Stanley Kramer and George Glass.

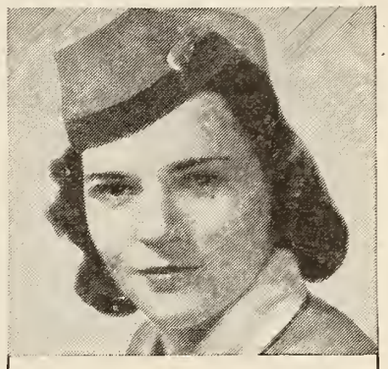
U. K. Probe Group

(*Continued from page* 1)

Council and author of the latter's "Monopoly Report" of four years ago, as well as a close associate of Wilson's; Sir Ralph Richardson, actor; James H. Laurie, head of the government's Film Finance Corp.; Miss Lucy Sutherland, principal of Oxford Woman's College, and William Smart, Scottish trades union leader.

The eighth member of the committee, to be named later, will represent film financing interests.

To aid the committee's study, the Board of Trade has been given powers to compel the disclosure of relevant information if it is willfully withheld. Wilson said that reports by the committee will be made as rapidly as possible.



UNITED

Flight Facts

As one of the stewardesses on "the Hollywood," United's 11¾ hour onestop flight from New York to Los Angeles, I'm proud to be part of the nation's top luxury flight, and all that goes with it. Proud of the speed, the luxury, and the service our passengers get.

But my special pride is the delicious meal service. Here's a typical menu—isn't it *wonderful*?

FRESH JUMBO SHRIMP COCKTAIL
Toasted Wafers

FILET MIGNON
Mushroom Sauce
Buttered Fresh Carrots and Peas
Au Gratin Potato

TOSSED GREEN SALAD
French Dressing

FRESH STRAWBERRY SUNDAE
Cookies

COFFEE TEA MILK
Mints

Next time you go to Los Angeles, fly "the Hollywood." Believe me, the meals and service are out of this world!

Doris Snider
United Air Lines Stewardess on
"the Hollywood"


KEEP POSTING!
KEEP POSTING!
Showmanship
Built Show Business!
Showmanship can
Better Show Business!
NATIONAL Screen SERVICE
PRIZE BABY OF THE INDUSTRY

FILE COPY
DO NOT REMOVE

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64. NO. 114 NEW YORK, U. S. A., TUESDAY, DECEMBER 14, 1948 TEN CENTS

20th-Fox Sets Divestiture Plan for U. S.

Paramount Continues Its Negotiations Here

Twentieth Century-Fox has formulated a plan for settlement of its part in the industry and anti-trust suit which it will propose to government attorney Robert Wright presumably when he concludes current and separate discussions with Paramount officials, it was officially indicated yesterday.

Otto Koegel, general counsel, and Fred Pride, his legal aide in the case, returned to New York at the weekend from the Coast where the terms of the proposed settlement were said to be devised in meetings with Charles P. Skouras, president of National Theatres. Dan Michalove, vice-president of the circuit, also participated in the discussions but has yet to return to his headquarters here.

Executives of 20th-Fox and its wholly-owned circuit took up the matter of a consent decree at length during October and November ses-

(*Continued on page 5*)

Chalif Named to UA Executive Position

Selmer Chalif, Hollywood production executive, has joined United Artists in an executive capacity, it was announced here yesterday by Gradwell L. Sears, company president.

Chalif's duties will primarily be the securing of new product for UA in Hollywood and throughout the world. In this connection his activities will supplement those of George L. Bagnall, production vice-president.

While he will have headquarters in Hollywood, it is expected that Chalif will leave in the near future for an

(*Continued on page 5*)

Damages Sought by Isley Are Tripled

LOS ANGELES, Dec. 13.—Amount sought in the Phil Isley Theatres suit against the majors on charges of conspiracy to prevent the Pickwood Theatre from obtaining first-run pictures was increased from $498,000 to $1,494,000 as trial resumed in U. S. District Court today. Fred A. Weller, plaintiffs' attorney, said his client is

(*Continued on page 5*)

ECA Grant To MPEA

Economic Cooperation Administration yesterday officially guaranteed the Motion Picture Export Association convertibility of the sum of $230,000 to cover dollar expenses involved in the distribution of American films in Germany. It was ECA's first informational media guarantee.

Under the terms of the contract, which is retroactive from Aug. 1, 1948, and runs to Jan. 1, 1950, ECA will authorize the conversion of that portion of marks earned by MPEA in Germany not exceeding the amount specified. The convertibility guarantee is restricted to earnings made from American films since Aug. 1 and does not apply to millions of frozen marks which accrued to the credit of MPEA prior to that date.

The contract, first to appear under the section of the Economic Cooperation Act which authorizes the expenditure of $10,000,000 for "informational media" guarantees, was signed by Howard Bruce, acting ECA adminis-

(*Continued on page 4*)

Difficulties Hit US Producers Abroad

Currency restrictions and fluctuations together with manifold production problems make film-making in Europe a trying experience for American producers, it was indicated here yesterday by Lou Bunin, independent producer who recently finished filming "Alice in Wonderland" in Paris, Nice and London. Knowing now from experience the difficulties involved in making a picture in Europe, would he

(*Continued on page 4*)

Tax Powers to Be Requested For All Cities

WASHINGTON, Dec. 13.—A strong demand that all cities be given power to levy admission taxes and require licenses from theatres will be made this week by the American Municipal Association.

The association, representing some 9,500 cities throughout the country, opened its 1948 conference here today. The meeting marks the association's first attempt to get its members behind certain broad policies on taxes and other matters, with the avowed purpose of lobbying for these policies in Washington and in state capitals.

A session on municipal finances, scheduled for Wednesday morning, is expected to bring approval from the

(*Continued on page 5*)

$356,024 Loss For RKO in 9 Months

Net loss of $356,024 for the first nine months of 1948 after all taxes and charges, including provision for estimated losses of $3,560,129 on outside productions, stories and continuities, is reported by RKO Radio. The loss includes a profit of $13,919 on sale of capital assets. The 1948 figure compares with a net income of $6,896,631 for the similar period of 1947 after taxes and all other charges, in-

(*Continued on page 4*)

Arnall to Gun For Theatre 'Monopolies'

New SIMPP Head Will Use Courts, Legislation

HOLLYWOOD, Dec. 13.—Ellis Gibbs Arnall, 41, former Governor of Georgia, who last night was elected president of the Society of Independent Motion Picture Producers, today outlined a five-point program to which he will devote himself immediately. Arnall left here by plane tonight to speak at the Waldorf-Astoria Hotel dinner in New York for Vice-President-Elect Alben Barkley tomorrow night. Arnall succeeds Donald M. Nelson as SIMPP president.

Arnall told a press conference here today that his first order of business will be to move vigorously on all fronts to break up theatre monopolies, utilizing education, litigation, and legislation to accomplish this aim. Second point in his program is to be a vigorous effort to improve the foreign market situation by seeking modification of restriction, quotas and antagonistic legislation.

Third objective is a furtherance of interests of SIMPP members in all

(*Continued on page 5*)

Berger Lauds Allied Percentage Action

MINNEAPOLIS, Dec. 13.—Ben Berger, president of North Central Allied, declares the national Allied Association's appointment of a committee to discuss forced percentages with heads of major companies "is the first sensible and concrete approach ever made on a large scale to rid the industry of one of its worst rackets." He predicted the committeemen named by Allied to take up the percentage com-

(*Continued on page 5*)

Ascap's Overall Revenue Seen Close to '47 Level

American Society of Composers, Authors and Publishers' overall collections for 1948 will represent only a slight decrease under last year's revenue despite the Society's set-back in the theatre field, the annual membership meeting at the Waldorf-Astoria Hotel here today is expected to be told.

The loss from theatres was not too substantial, it is said, because many exhibitors had paid their full year's fee to the organization prior to the court decisions against it. Additionally, Ascap's income from radio and

(*Continued on page 5*)

Film, Civic Officials Join in Zanuck Fete

LOS ANGELES, Dec. 13.—Eric A. Johnston, president of the Motion Picture Association of America who arrived here today, was among the principal speakers who paid tribute to Darryl F. Zanuck, 20th Century-Fox production vice-president, who was named "Man of the Year" by the Beverly Hills chapter of B'nai B'rith. Other speakers at the banquet at the Biltmore Bowl were James Roosevelt, Clinton P. Anderson, Lt.-Gov. Goodwin Knight and Joseph Schenck.

Charge Navy Houses Compete Unfairly

WASHINGTON, Dec. 13.—Theatre-owner Sidney Lust has sent the Navy a strong protest that it is not adequately policing civilian admissions to theatres on Naval installations.

Lust claims that since the Armed Services relaxed their policy on admitting civilians early last month, many unqualified civilians have been going to the theatre at the Bethesda

(*Continued on page 5*)

Personal Mention

MOREY GOLDSTEIN, Allied Artists - Monogram national sales manager, left here yesterday for Boston to attend a New England sales staff meeting today.

•

EDWARD L. HYMAN, vice-president of Paramount Theatres Service Corp. here, is attending a board of directors meeting of Maine and New Hampshire Theatres at Poland Springs, Me. He will return to New York tomorrow.

•

EDITH ALTMAN of the RKO film booking department here was married to PHILIP LEVINE at Menora Masonic Temple in Brooklyn on Sunday. They are honeymooning in Florida.

•

GEORGE A. HICKEY, M-G-M Western sales manager, is due on the Coast today after attending sales conferences in New York.

•

STANLEY KANE, North Central Allied executive director, has been reelected as attorney for Golden Valley, Minneapolis suburb.

•

MAXWELL SHANE, Universal-International producer, and AL HORWITS, U-I eastern publicity chief, are in Washington today from New York.

•

ARTHUR LOCKWOOD, president of the Theatre Owners of America, has been made a colonel on the staff of Oklahoma Governor Kerr.

•

STEVE BROIDY, Allied Artists-Monogram president, and MRS. BROIDY became parents of a daughter, LEAH LYNN, born on Saturday.

•

M. A. SCHLESINGER left here yesterday by plane for a brief visit in South Africa.

•

HOWARD STRICKLING, M-G-M studio publicity head, arrived here yesterday from the Coast.

•

MARVIN SCHENCK, M-G-M Eastern studio representative, returned to New York yesterday from the Coast.

•

TED R. GAMBLE, Theatre Owners of America board chairman, has left Chicago for Portland, Ore.

Safier Film to Allen

TORONTO, Dec. 13.—Morris Safier, U. S. distributor of "Concert Magic," full-length concert on film and starring Yehudi Menuhin, has appointed Harry J. Allen and his associates distributors of the picture in Canada. Safier will return to New York to complete arrangements for immediate release.

'Sign' Cites 'Joan'

Jerry Cotter, motion picture editor of *The Sign*, National Catholic monthly, reports that the publication's seventh annual award for the "outstanding motion picture of the year" goes to Walter Wanger for his "Joan of Arc," RKO Radio.

Eugene F. Ford, 53, Managed for Loew's

WASHINGTON, Dec. 13. — Eugene Francis Ford, 53, died at Doctors' Hospital on Sunday. He was managing director of Loew's Capitol Theatre here, and was well known in show business as a producer, composer and manager.

From 1930 to 1934 he was associated with the Capitol, in New York, going to Washington in 1934 to produce a local revue, "Going Native."

A requiem mass will be celebrated tomorrow morning at St. Thomas Apostles' Church with interment at Fort Lincoln Cemetery, Washington. Surviving are the widow, Katharine, two children, Eugene Francis, Jr. 18, and Patricia 10, and two brothers, Lieut. Comm. Frank Ford of Jacksonville and Lawrence E. Ford of Norwalk, Ohio.

Cohen Conducting Meeting in Atlanta

ATLANTA, Dec. 13.—Milton E. Cohen, Eagle-Lion's Eastern sales manager and captain of the "Jack Schlaifer Testimonial Drive," is here for a two-day drive meeting with branch sales personnel and for talks with exhibitors.

Cohen, who has already conducted similar meetings in Seattle, Portland, San Francisco, Los Angeles, Salt Lake City, Denver and Dallas, will leave tomorrow night for Chicago, where he will conduct the final meeting of his current trip.

Bursten Heads SRO's New Legal Staff

David I. Bursten, industry attorney, will head the newly-established legal department of Selznick Releasing Organization here, it was announced yesterday by Leonard R. Case, SRO treasurer. He has been associated with the law firm of Jaffe and McNulty, representing Monogram Pictures, and also with Paine, Kramer and Marx where he was primarily concerned with the legal affairs of Selznick enterprises in the East.

M-G-M to Distribute 3 SRO Films in Africa

M-G-M will distribute and exhibit three Selznick Releasing Organization films in South Africa early next year at the first-run Metro theatres in Johannesburg and Durban, it was announced here by Leonard R. Case, SRO treasurer. Films involved are "Duel in the Sun," "The Paradine Case" and "Portrait of Jennie."

O'Dwyer Luncheon Today

More than 1,000 members of the amusement and allied industries are expected to honor Mayor William O'Dwyer today at a testimonial luncheon at 12:30 P.M. in the Hotel Astor here in connection with the Federation of Jewish Philanthropies' campaign in the industry. Helen Hayes will be one of the speakers. Fred Schwartz, vice-president of Century Theatres, is chairman of the drive.

Film-Govt. Liaison Urged for Overseas

WASHINGTON, Dec. 13.—The government's overseas information program must establish better liaison with Hollywood "both to avoid objectionable matter in exported films and to suggest positive treatment of the presentation of America or of world issues abroad," according to a study released by the Brookings Institution today.

The study, entitled "The Overseas Information Service of the U. S. Government," was made by Charles A. H. Thomson who was on leave from Brookings during the war to serve as a propaganda policy officer with various government agencies.

Thomson praises the contribution of films—both government and industry—during the war in Allied, neutral and enemy countries, both in advancing Allied propaganda and overcoming Axis propaganda.

Turning to the future, he says that "the chief problems faced in the government film program are the reduction or elimination of barriers to international traffic in motion pictures, control over how the U. S. (or any other important topic) is presented in commercial films, and development and use of various non-commercial films for informational or cultural objects." Thomson urges a joint House-Senate committee to supervise the policy of the program.

Cole Trial Slows as Counsel, Court Talk

LOS ANGELES, Dec. 13.—While complainant Lester Cole stood by in readiness to resume testimony begun on Friday in his suit for reinstatement of his M-G-M contract, today's session was consumed in conferences between opposing counsel and the court concerning admissability of news articles published two years ago in a local publication purporting to list Hollywood professional persons who were said to be members of the Communist Party.

Meanwhile, it was stated by court aides that Eric Johnston, Motion Picture Association of America president, will probably be called on Wednesday to appear as a witness.

West Managing Mono. Cincinnati Exchange

HOLLYWOOD, Dec. 13.—George West, who for the past several years has represented franchise holders at the Monogram studio, has assumed active management of the company's Cincinnati exchange, in which he holds a part interest.

In Industry Shorts Post

HOLLYWOOD, Dec. 13.—Y. Frank Freeman, Paramount studio executive, has been appointed chairman of the production advisory committee for the industry public relations shorts sponsored by the Academy of Motion Picture Arts and Sciences. The committee will meet Dec. 22 to review the five shorts completed and draft plans for the next seven.

Donaldson Heads UI Boston Office

BOSTON, Dec. 13.—Tom Donaldson, formerly branch manager of the Boston M-G-M office, and recently Northeastern district manager of Eagle-Lion, has been appointed sales manager of the Boston branch of Universal-International Pictures, effective today.

RADIO CITY MUSIC HALL
Rockefeller Center
"WORDS AND MUSIC"
JUNE ALLYSON • PERRY COMO
JUDY GARLAND • LENA HORNE
GENE KELLY • MICKEY ROONEY
ANN SOTHERN
Color by TECHNICOLOR
A Metro-Goldwyn-Mayer Picture
THE GREAT CHRISTMAS STAGE SHOW

DARRYL F. ZANUCK presents
OLIVIA de HAVILLAND
the Snake Pit
Directed by ANATOLE LITVAK • Produced by ANATOLE LITVAK & ROBERT BASSLER
RIVOLI B'way & 49th Street

Paramount presents
JOHN LUND • WANDA HENDRIX
BARRY FITZGERALD • MONTY WOOLLEY
in "Miss Tatlock's Millions"
In Person STAN KENTON And His Orchestra featuring JUNE CHRISTY and RED BUTTONS
RAUL & EVA REYES
and introducing NELLIE LUTCHER
PARAMOUNT TIMES SQUARE MIDNIGHT FEATURE NIGHTLY

SAMUEL GOLDWYN presents
DANNY KAYE • VIRGINIA MAYO
"A SONG IS BORN"
COLOR BY TECHNICOLOR
Broadway at 45th Street ASTOR Cont. from 8:45 AM Midnight Show

J. Arthur Rank presents
"THE RED SHOES"
Color by Technicolor
BIJOU THEATER, 45th Street West of Broadway
All Seats Reserved, Mail Orders
Twice Daily
Extra Matinees Saturday and Sunday
Late Show Saturday Evening 11:30
An EAGLE LION FILM Release

TOO BIG FOR ONE THEATRE
JOAN OF ARC
starring INGRID BERGMAN
A VICTOR FLEMING PRODUCTION
COLOR BY TECHNICOLOR
CAST OF THOUSANDS with JOSE FERRER
FRANCIS L. SULLIVAN • J. CARROL NAISH
WARD BOND • SHEPPERD STRUDWICK • HURD HATFIELD • GENE LOCKHART • JOHN EMERY
GEORGE COULOURIS • JOHN IRELAND and CECIL KELLAWAY • based upon the stage play 'Joan of Lorraine' by MAXWELL ANDERSON
Screen Play by MAXWELL ANDERSON and ANDREW SOLT • Art Direction by RICHARD DAY
Director of Photography, JOSEPH VALENTINE, A.S.C.
Produced by WALTER WANGER
Directed by VICTOR FLEMING
presented by SIERRA PICTURES, Inc.
released by RKO RADIO PICTURES
CONTINUOUS AT THE VICTORIA B'WAY at 46th ST. 7 SHOWS DAILY
RESERVED SEATS AT THE FULTON 46th ST. W. of B'WAY MATS. $1.80 EVES. $2.40

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

RESULTS

PROVE IT'S TOP BOXOFFICE!



COLUMBIA PICTURES
presents

Glenn FORD · HOLDEN *William*

in

The Man from Colorado

with *Ellen* DREW

RAY COLLINS · EDGAR BUCHANAN · JEROME COURTLAND · JAMES MILLICAN

Screenplay by Robert D. Andrews and Ben Maddow

Directed by HENRY LEVIN · Produced by JULES SCHERMER



COLOR BY TECHNICOLOR

WB Zone Meeting In New York Today

Harry M. Kalmine, president of Warner Theatres, will preside at a zone manager's meeting here today at the home office. Those attending will be: Zone managers: James Costen, Nat Wolf, I. J. Hoffman, Frank Damis, Charles A. Smakwitz, Ted Schlanger, M. A. Silver, George A. Crouch, Ben Wallerstein; and film buyers: Alex Halperin, Ted Minsky, Bert Jacocks, Sam Blasky, Max Friedman, John Turner, Harry Feinstein, L. F. Ribnitzi, Leo Miller; and home office executives: M. Alben, C. E. Bond, F. Cahill, H. Copelan, Z. Epstein, N. Fellman, H. Goldberg, L. J. Kaufman, H. Maier, F. Marshall, W. S. McDonald, F. Phelps, H. Rodner, H. Rosenquest, D. Triester, R. Weiss, B. Wirth and B. Rosenzweig.

MGM Regional Meets In N. Y., Salt Lake

Two M-G-M regional meetings, one at the Astor Hotel here and the other at the Utah Hotel, Salt Lake City, will be held tomorrow and Thursday when sales executives will relay to branch managers details of the company's recent sales conference here. John P. Byrne, Eastern sales manager, will preside at the New York meeting, while Samuel J. Gardner, assistant Western sales head, will conduct the Salt Lake meet. Burtus Bishop, Jr., Midwest sales head, held a similar parley in Chicago yesterday.

Meanwhile, Alan F. Cummings, head of exchange operations, has called the company's field auditors to a four-day meeting which will convene at the Astor here starting Jan. 4.

Lamour Sets Own Independent Outfit

HOLLYWOOD, Dec. 13.—Dorothy Lamour has announced the formation of an independent production unit, Ridgely Corp., following release from her Paramount contract over the weekend. The star will report to RKO in January under a contract calling for three pictures in six years.

Don't Jump!



Get a new lease on living with a TWA Quickie Vacation in the Great Southwest. A few days off are all you need for a wonderful rest in this invigorating climate. Phoenix and Las Vegas are only hours away when you fly TWA. *Big fare savings on family travel and round trips.* Call the local TWA office or your travel agent.

Reviews

"Manhattan Angel"

(Columbia)

"MANHATTAN ANGEL" is a mildly amusing musical romance about a group of grownups trying to hold a youth center together. The film is weakened however by story implausibilities and a lack of production quality.

Heading the cast are Gloria Jean and Ross Ford as the young couple attempting to prevent the youth center from being razed to make way for a new skyscraper. Miss Jean sponsors a friend in a $25,000 beauty contest and after some unethical maneuvering she wins. The money goes to preserve the center.

The musical end of the picture offers a little more in the way of entertainment than the story. Miss Jean and a new singing youngster offer several songs, including "It's a Wonderful, Wonderful Feeling," "I'll Take Romace," "Candy Store Blues," and others.

Supporting players include Patricia White, Thurston Hall, Alice Tyrrell and Benny Baker. Sam Katzman produced, Arthur Dreifuss directed and the screenplay was written by Albert Deer, from an original which he wrote with George H. Plympton.

Running time, 61 minutes. General audience classification. Release date, not set.

"Just William's Luck"

(United Artists)

THE consternation caused an average British household by the spirited energies of one of its 'teen-age members turns out to be comedy. Produced in England, its cast is not one of sufficient name appeal to give the picture wide appeal here. The juvenile trade, however, is likely to find delight in viewing the antics of their British counterparts.

William Graham, portraying William of the title, seems to be forever getting into trouble with other members of his family because of his youthful escapades. He and his friends, fancying themselves "Knights of the Round Table," essay one adventure after another, all calculated to upset the equilibrium of their elders. Finally, however, the boys find themselves heroes when they invade a neighborhood mansion and discover it is being used as the headquarters for a group of fur thieves.

The screenplay, by Val Guest, has little in the way of originality. An A. R. Shipman and David Coplan presentation, James A. Carter produced and Guest directed. Others in the cast include Gary Marsh and Jane Welsh as the boy's beleaguered parents.

Running time, 88 minutes. General audience classification. For January release.

MANDEL HERBSTMAN

RKO Loss

(Continued from page 1)

cluding provision for estimated losses of $1,130,225 on outside productions, and profit of $4,764,766 on sale of capital assets.

During the third quarter of this year the net loss was $2,257,887, including provision for estimated losses of $3,405,194 on outside production, stories and continuities and profit of $9,281 on sale of capital assets. In the 1947 quarter the company reported a net income of $1,789,284, including provision for estimated losses of $1,077,738 on outside productions and profit of $3,158,913 on sale of capital assets.

Hope in Video Bid

WASHINGTON, Dec. 13.—Hope Productions, Inc., of which Bob Hope is sole owner and president, today submitted a bid of $1,200,000 to the Federal Communications Commission for the Louisville *Courier Journal's* Station WHAS, which operates on standard, FM and television. Hope's bid is in competition with offers from Crossley, Inc. and Fort Industries. The application listed Hope's net worth as "in excess of $2,000,000."

Kentucky Taxes Video

LOUISVILLE, Dec. 13.—Under a new state revenue department regulation, operators of places providing television amusement for patrons and charging admissions or minimum, are placed under the state's amusement tax laws, according to David K. Walker, director of the division of excises.

Joan Leslie, Warner In Deal on Dispute

HOLLYWOOD, Dec. 13.—Joan Leslie today announced that her three-year dispute with Warners in which she sought relief from her seven-year contract with the studio has been settled out of court. The suit was carried to the U. S. Supreme Court, where it was rejected, leaving the previous decision by the California Supreme Court in favor of the studio in force. The settlement reached frees her to accept free-lance work at other studios and at her own organization, Culver Productions.

L.A. Judge Is Firm On Picket Sentences

LOS ANGELES, Dec. 13.—Municipal Judge Byron Walters today refused to modify sentences passed on 125 studio workers who picketed the Columbia studio in a strike two years ago. Five were sent to jail for periods ranging up to one year, a fine totaling $9,650 was imposed on 32 pickets and sentence was suspended on the rest. Arrests were made for refusal to obey a court order, disturbing the peace and refusal to heed police orders.

Ontario Blackout Relief

TORONTO, Dec. 13. — Improved weather conditions have allowed an increase in the power quota for various sections of Ontario and complete blackouts in theatres of those regions are cancelled temporarily, although regulations on the restricted use of electricity are still retained.

Foreign Managers Meet Here Today

With restrictions against American films and their earnings threatening in two additional global areas, U. S. foreign managers will meet today at the Motion Picture Association of America office here to draft plans for coping with them.

High on today's agenda will be new developments in Mexico and South Africa, it is expected. From Mexico come threats of a film import quota law. Its exact provisions, or proposed provisions, are expected to be sent to New York by Mexican managers of U. S. film companies.

South Africa's government, it is said, is planning to freeze at least 50 per cent of U. S. film companies' earnings. The foreign managers first got together last week for a discussion of this problem, and are expected to complete drafting of their plans today.

Difficulties Abroad

(Continued from page 1)

do it again? "No," he replied flatly.

During 18 months of production in France where the value of the franc fluctuated almost daily, Bunin explained, "we never knew how much it was costing to make the picture." Bunin and his production manager, Ben Rubin, who were interviewed at the home office of Eagle-Lion, which will release the Ansco color feature in the U. S., said that when they started work in Paris the franc was valued at 119 to the American dollar, and when they finished 18 months later it was valued at 490 to the dollar. Notwithstanding, Bunin said he figures it cost approximately $1,500,000 to make both the French and English-speaking versions of "Alice."

Each week, as the French franc index raised or lowered, technicians, actors and others working on the combined puppet-and-live action feature found their salaries fluctuating accordingly, Bunin said. Meanwhile, employes were paid alternatingly in French and Swiss francs, American dollars and British pounds, he pointed out, while adding to the general confusion were serious scarcities of materials, power and heat.

Bunin produced "Alice" in partnership with the French Motion Picture Union, a semi-government organization which uses private capital for investments.

"Alice" is slated to open in Paris and London next week, and in the U. S. around next Eastertime, according to Bunin.

ECA Grant

(Continued from page 1)

trator, and by Francis S. Harmon, MPEA vice-president.

The American industry, at the request of the Army, has been distributing films in Germany for more than three years since the end of the war at substantial dollar costs to itself and without reimbursement of any part of its outlay. The ECA approval will at least stem further dollar losses to MPEA over the guarantee period.

The ECA action was indorsed by Gen. Lucius B. Clay, Military Governor of the U. S. zone in Germany, and was motivated by recognition on the part of Military Government heads, top government officials and observers that American films have been playing a valuable role in the reorientation and reeducation program.

Arnall

(*Continued from page 1*)

possible ways. Fourth embraces all undertakings to benefit the film industry at large. Fifth is a campaign to dispel "pessimism prevailing in the industry at this time."

Although answering all questions at length, Arnall said frankly he is not yet in possession of all details bearing upon his program and could outline his course only in general terms.

Asked whether he intended to cooperate with MPAA's Eric Johnston in seeking his objectives, Arnall said, "I don't see how I can unless he changes his attitude toward the industry."

Would Debate on Air

He added that while in New York he would suggest to George Denny to have a "Town Meeting of the Air" debate on monopoly in the film industry in which he would present his views to the public, "to educate them on the subject," in a debate with another personality, preferably Johnston. Arnall stressed his belief that public support for breaking up theatre monopoly can be recruited by putting the case before the people.

Declaring theatre monopolies have kept "superior entertainment made by independents" off screens at serious costs to the industry and public, Arnall cited SIMPP's Detroit suit as an example of the action which SIMPP will take wherever circumstances warrant. Decrying a pro-monopoly trend which he said was displayed by the 80th Congress, he asserted "that trend will be reversed by the new Congress, and the nation will drive against monopolistic controls in all branches of American life." He added monopolies must be opposed as vigorously by America as totalitarianism or Communism.

Asks Ban on Errant Stars

Answering questions, he said players whose private lives bring films into disfavor "should be banished from the screen." Queried on a published report he would receive $50,000 yearly plus $25,000 expenses, he said, "I am surprised and shocked that such a question should be asked me. When I have been around Hollywood long enough, I may answer it. For the present, my answer is, 'no comment'."

Arnall said he will give the SIMPP presidency "as much time as is required to do what we've set out to do," but he will retain his private law practice, his presidency of an insurance company which he described as "small," and lecture tours, on which he is booked for five lectures monthly from now to next June. He will continue to reside in Newman, Ga., but will maintain offices in New York and Hollywood, and "will spend a good deal of time in Washington."

Chalif to UA Post

(*Continued from page 1*)

extended tour of England and the Continent. He will survey production facilities and new product.

During the war Chalif served for three years with the Air Forces motion picture unit. Before and since his military service, he was general manager of Mary Pickford's various film interests, representing her in Artists Alliance and other corporations. He served as production manager for Comet Productions and Triangle Productions.

His brother, Vitalis Chalif, is a member of UA's board of directors.

31 Features Are in Work on the Coast

HOLLYWOOD, Dec. 13.—The production index stood at 31, dropping one from last week's 32. Eight films were launched, while nine were finished.

Shooting started on "Secret of St. Ives," "Night in Havana" and "Rim of the Canyon" (Autry), Columbia; "Amazon Quest" (Agay), Film Classics; "Gun Law Justice," Monogram; "Hellfire," Republic; "Omoo," Screen Guild; "Illegal Entry," Universal-International.

Shooting was finished on "Greed," Columbia; "The Secret Garden," M-G-M; "Riverboat Rhythm," Monogram; "Ritter Victory," Paramount; "The Hideout," Republic; "Sam Wynne," RKO Radio; "Champion" (Screen Plays), United Artists; "Ma and Pa Kettle" and "Arctic Manhunt," U-I.

Tax Power for Cities

(*Continued from page 1*)

500 delegates for a resolution which will say in part:

"The municipalities should be permitted to adopt a larger number of taxes for local use. Unless the state provides adequate revenue by other measures, municipalities which can administer them should be authorized to use as local taxes the payroll-income tax, local sales taxes, license taxes based on volume of business, cigarette and tobacco taxes, amusement or admission taxes, hotel taxes, liquor taxes, utility taxes, and various service charges."

The association feels that municipalities are pinched because inflationary pressures have increased costs without increasing revenue proportionately.

Isley Suit

(*Continued from page 1*)

seeking a temporary injunction to permit the Pickwood to open before Christmas.

The amended complaint lists as co-owners Mr. and Mrs. Earl Collins and Griffith Theatres, Inc., with Isley in ownership of the newly completed Pickwood.

Berger Lauds Allied

(*Continued from page 1*)

plaint with distributors "will come close to getting what they want."

Berger pointed out that the association's opposition against forced percentages does not include first-runs in large cities "and some other situations," but is aimed particularly at subsequent-runs and smaller towns.

Most exhibitors "fear" percentages because those engagements are used as a yardstick in arriving at flat rentals, Berger charges, adding that exhibitors are fully aware of such procedure and "it causes them not to be showmen." Berger also charged the percentage policy of distributors forces exhibitors to play pictures too long and on the wrong playing time.

"Exhibitors will pay a fair rental price consistent with profits if producers deliver pictures to them which will make a profit," Berger asserted. "Unfair percentage terms and conditions do not have to be shoved down the exhibitor's throat for the distributor to get his rightful share of the box-office income," Berger said.

The exhibitor leader predicted company heads will eventually abandon percentages as outlined by Allied.

Compete Unfairly

(*Continued from page 1*)

Naval Hospital, to the damage of his own Bethesda Theatre.

On Nov. 4, the Army, Navy and Air Force said that the industry had agreed to allow military personnel to take civilian guests to post theatres. The agencies promised to police admissions closely to present undue competition with commercial theatres.

Lust claims he has had friends and employes go to the Naval Hospital Theatre and be admitted without any question. He says attendance at his theatre has slumped far more than the usual seasonal drop in the last month.

Competition from service theatres was discussed at the convention of the Theatre Owners of America in Chicago, and, since Lust is the Washington organization's national TOA director, the matter is certain to come forward at the TOA executive committee meeting here in January. It is also slated for early discussion by the local Theatre Owners Association.

20th-Fox Plan

(*Continued from page 1*)

sions in New York but at that time Skouras reportedly was reluctant to divest holdings to the extent which others felt would be required.

Meanwhile, Paramount home office theatre executives who conferred on divestiture proposals for two days in Washington last week with Herbert Bergson, head of the Department of Justice anti-trust division, and Wright, in charge of prosecution of the Paramount case for the government, resumed their discussions here yesterday at the local offices of the Justice Department.

Participating in the conferences were Wright, who arrived in New York from Washington last Friday, and Leonard Goldenson, Paramount vice-president in charge of theatre operations; Walter Gross of the home office legal department, and Robert O'Brien, Paramount secretary.

Paramount officials have repeatedly discounted the likelihood of an acceptable agreement on divestiture being reached with the government but have pressed the conferences with government representatives at regular intervals, nevertheless. Neither side would comment on yesterday's meeting but further sessions are expected to be held.

Wright said he is in New York primarily to prepare for resumption of hearings before the three-judge Federal expediting court here next Monday.

Ascap Revenue

(*Continued from page 1*)

other sources is believed to be above the 1947 level.

Ascap collected about $10,000,000 in 1947—$1,300,000 from theatres—and of this approximately $8,000,000 was distributed to the members. Administration costs are close to 20 per cent.

While it had been the custom of larger theatres and circuits to pay Ascap either on a monthly or quarterly basis, the smaller theatres paid in a lump sum when contracts were renewed. Average cost for Ascap music for a theatre is less than $100 a year.



The First EXPLOITATION "NATURAL" In Ten Years!



Virginia **GREY** • Philip **REED**

Barton **MacLANE** • Richard **DENNING**

Richard WESSELL • Daniel WHITE • Philip NAZIR

Directed By JACK BERNHARD

Produced By ALBERT JAY COHEN

ORIGINAL STORY BY ROBT. T. SHANNON

SCREEN PLAY BY ROBT. T. SHANNON & JACK HARVEY

Released by FILM CLASSICS, INC.

Terrific Openings

HELD OVER!
at the Magnificent
JOY THEATRE
NEW ORLEANS, La.

HELD OVER!
R.K.O. GRA
CHICAGO, Ill.

HELD OVER!
Interstate's
EMPIRE
SAN ANTONIO, Tex.

HELD OVER!
Interstate's
KIRBY
HOUSTON, Tex.

LOEW'S-POLI
BIJOU
NEW HAVEN, Conn.

Set for Big Biz
— IN —

PARAMOUNT
San Francisco, Cal.
PALACE—Taledo, Ohia
ECKEL—Syracuse, N. Y.
RIVOLI—Paterson, N. J.
CAPITOL—Passaic, N. J.
RIALTO—New Yark City
HOLLYWOOD
Siaux City, Ia.
GARDEN—Charlestan, S.

STARTING XMAS

ESQUIRE—Oakland, Cal.
GRAND—Albany, N. Y.
KINEMA—Fresna, Cal.
CARLTON—Pravidence, R.
SIERRA—Stackton, Cal.
GRANDBY—Narfalk, Va.
COLUMBIA—Erie, Pa.
AMERICAN—Tray, N. Y.
SHORE—Atlantic City, N. J.
MAJESTIC—Jahnstawn, Pa.
ERIE—Schenectady, N. Y.
LIBERTY—Sharan, Pa.
UTICA—Utica, N. Y.
PALACE—Fart Warth, Texas
CAPITOL—Scrantan, Pa.
PENN—Wilkes Barre, Pa.
AND MORE COMING

PREHISTORIC MONSTERS OF AN UNKNOWN WORLD INVADE THE WORLD OF TODAY!

Is It FACT or Is It FICTION?

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64. NO. 115 NEW YORK, U. S. A., WEDNESDAY, DECEMBER 15, 1948 TEN CENTS

FILE COPY DO NOT REMOVE

Jack Benny Is Voted Radio's '48 Champion

Critics Give Crosby 3 Firsts in Annual Poll

By GENE ARNEEL

American newspaper and magazine radio editors and columnists, voting in MOTION PICTURE DAILY's 13th annual Radio Poll for *Fame*, tapped Jack Benny as radio's Champion of Champion's and Best Comedian for 1948.



Jack Benny

Fred Allen, last year's winner of the same two classifications, finished second this year.

The radio critics designated Herb Shriner, the CBS comedian, as radio's Most Promising Star of Tomorrow.

Bing Crosby took three firsts—Best Master of Ceremonies, Film Personality Most Effective in Radio, and Best Popular Male Vocalist—as he did in last year's poll. Those, plus his third place in the Champion of Champions division, gave him more individual honors in the poll than went to any other radio performer or program.

Godfrey a Winner

Arthur Godfrey was given the critics' nod with a first in the Best Daytime Program division, third as Best Master of Ceremonies and fourth place in Champion of Champions classification. His voting strength was scattered among other divisions also, but fell just short of placing him among the top three elsewhere.

Vaughn Monroe's orchestra was voted Best Dance Band, replacing Guy Lombardo for the first time in the history of the poll. Vaughn and

(*Continued on page 4*)

Radio Poll Results Appear on Page 5

Complete results of *Motion Picture Daily's* 13th annual Radio Poll, conducted for *Fame*, are published on Page 5 of this issue.

Photographs of first place winners appear on Page 4.

18 from EL in Four Months

Sixteen features, including six in color, plus two Walter Wanger productions, will be released by Eagle-Lion by the end of April, it was announced here yesterday by William J. Heineman, sales vice-president.

Among top product will be "He Walked by Night," for release in December; "Red Stallion in the Rockies," Cinecolor, for January; February releases will include "Alice in Wonderland," Ansco Color, produced by Lou Bunin, and Walter Wanger's "Reign of Terror." Second Wanger production, "Tulsa," in Technicolor, will be released in March; with April schedules listing "The Big Cat," Technicolor, and "Scott of the Antarctic," also Technicolor.

Other product will include the December release of "Parole, Inc.," and

(*Continued on page 6*)

M. & N.H. Stock Bid ToPara.Unanswered

POLAND SPRINGS, Me., Dec. 14.—An offer by the Maine and New Hampshire Theatres Co., Boston, to buy from Paramount Pictures the latter's 49 per cent stock interest in the theatre company has not been acted upon and consequently did not come before the annual meeting of Maine & New Hampshire here today.

George B. Lane, Jr., president of

(*Continued on page 7*)

Industry Honors Mayor O'Dwyer At FJP Luncheon

Mayor William O'Dwyer was honored here yesterday by leaders of the motion picture and allied entertainment fields for his "humanitarian and philanthropic efforts" in behalf of the people of New York City at a luncheon of the amusement division of the Federation of Jewish Philanthropies at the Hotel Astor. A mahogany humidor, with an inscription expressing "affection and deep appreciation" was presented the mayor by actress Helen Hayes as a gift from the industry.

Fred Schwartz, vice-president of Century Theatres and chairman of the amusement division, presided at the luncheon which was part of the current $16,500,000 campaign for funds to support the Federation's 116 affiliated local hospitals, health and welfare agencies. Benjamin Lazarus,

(*Continued on page 7*)

Economy Drive Is Lagging: Schaefer

Hollywood production economies have advanced thus far only about one-third of the way toward the point which will bring production costs in line with domestic and foreign market conditions, industry sales executive George J. Schaefer observed here yesterday following his return from the Coast. "Economy-mindedness," he believes, will take cost-saving another

(*Continued on page 6*)

Radio Giveaways Worse than Commercials, Editors Say

Radio's giveaways have replaced radio's commercials as the Number One complaint of the nation's newspaper and magazine radio editors and columnists, their comments in connection with MOTION PICTURE DAILY's 13th annual Radio Poll for *Fame* disclose.

The critical balloters did not indicate whether they believe that radio commercials are improving or merely are less annoying than giveaway programs, but the fact remains that fewer critics railed at the commercials than condemned giveaways.

Giveaway programs, the critics believe, already have lowered the overall quality of radio entertainment. Apart from the lack of ingenuity in giveaway programs themselves, the critics blame them for forcing more meritorious programs off the air. The balloters assert that fewer giveaways should be the rule. "Stop them before they do more damage," is the plea.

Others urge that no giveaway programs be permitted on the air unless they contribute to charitable or other worthwhile purposes. A few tolerant voices suggest they should be kept until the public tires of them which, most of them believe, will be at a not too distant date.

Commercials come in for the second most numerous and spirited gripes from the critics. There are still too many commercials, they are still too long, too trite, too obvious, too annoying, say the critics.

However, many of them believe that programs on the whole are improving. They contend that an overabundance of mediocre programs in the recent

(*Continued on page 4*)

No Settlement In Decree This Week, Says US

Para. Trial to Be Held Monday as Scheduled

WASHINGTON, Dec. 14.—A top Justice Department official indicated today that there will be no consent decree settlement in the Paramount case at least for the next week.

"We're going to trial Monday against all defendants," he said, adding that as far as he knew there were no further conversations with any of the defendants set up for this week, but there might be some set up at any time.

In any event, he said, the conversations could not produce a decree before next Monday. The official refused to say whether he thought there would ever be any consent decree settlements in the case.

Asked whether the Department was making progress in its negotiations with Paramount, he merely repeated his statement that the case would resume Monday "against all defendants."

US Maneuvers for Scophony Decree

The Government yesterday moved in U. S. District Court here to pressure Scophony into a settlement of the government's anti-trust suit by asking Judge Knox to strike the case from the court's calendar, subject to restoration.

The strategy behind this is as follows: The government, according to a Justice Department official, is "practically ready to announce a consent decree with General Precision Equipment and Television Productions, Inc., other defendants in the case, and although the Department would like to take these two firms out of the case, thus giving it the power to hold over Scophony's head the threat that the

(*Continued on page 7*)

Jack Ellis Resigns UA Sales Post Here

Jack Ellis, New York district manager for United Artists, has resigned, effective Jan. 1. Though he has several proposals under consideration, no announcement of his plans will be made until after he leaves U. A., Ellis said.

Ellis has been in his present post

(*Continued on page 6*)

Boston Conciliation Unit to Be Named

Boston's Theatre Owners of America conciliation board will be named at the end of the week, it was announced in that city yesterday by Arthur H. Lockwood, TOA president. Meanwhile, in Albany, Harry Lamont yesterday was appointed temporary chairman of the Albany area board, which will probably meet on Tuesdays at the Albany office of Upstate Theatres, Inc.

E-L's MacMillen Is Pathe Vice-president

William C. MacMillen, Jr., yesterday was elected vice-president of Pathe Industries, Inc., at a meeting of the Pathe board of directors. MacMillen, who is 35, will continue as vice-president in charge of operations of Eagle-Lion Films and vice-president of Eagle Lion Studios, wholly-owned subsidiaries of Pathe Industries.

Besides the Eagle-Lion companies, other principal subsidiaries of Pathe are Pathe Laboratories, with film processing laboratories in Hollywood, Bound Brook, N. J., and New York City; Pictorial Films, Inc., Television Center, Inc., Pathe Realty Corp., and The V. D. Anderson Co., manufacturer of oil expellers and other machinery.

Before joining Eagle-Lion last June, MacMillen was assistant to Robert R. Young, principal Pathe stockholder. He is a director of the Missouri Pacific Railroad and a member of the advisory committee of the Federation for Railway Progress, of which he formerly was president.

No Cooperative Ad Cuts Planned by 5

Other distributors have indicated here that they have no plans to discontinue cooperative theatre advertising as has Warners, a round-up of the companies disclosed yesterday. During the past year, however, Universal-International drastically reduced its cooperative advertising outside of New York, it was reported.

Those companies whose spokesmen said are without plans for discontinuing cooperative advertising are: United Artists, Eagle-Lion, Paramount, RKO Radio, Republic. A check of 20th-Fox produced "no comment."

Memphis Censor Suit To Be Heard Dec. 27

MEMPHIS, Dec. 14.—Hearing on United Artists' and Hal Roach's challenge of the constitutionality of the Memphis board of censors, following its banning of Roach's "Curley" from theatres here, was today set for Dec. 27 by the Circuit Court in Memphis.

Personal Mention

SPYROS P. SKOURAS, 20th Century-Fox president, will fly to New York today from the Coast.

•

WILLIAM BROIDY, Allied Artists-Monogram studio executive, and his wife became the parents of LEAH LYNN BROIDY last Saturday in Hollywood. It was erroneously stated here yesterday that the baby had been born to STEVE BROIDY, AA-Monogram president, and MRS. BROIDY.

•

WILLIAM B. ZOELLNER, M-G-M short subjects sales head, and his bride have returned to New York from their honeymoon.

•

F. J. A. MCCARTHY, Universal-International Southern and Canadian sales manager, left New York yesterday for Jacksonville.

•

ARTHUR HORNBLOW, JR., M-G-M producer, and his wife will leave here today for Hollywood.

•

HOWARD STRICKLING, M-G-M studio publicity head, plans to leave here Friday for the Coast.

•

FRANK N. PHELPS, Warner circuit executive, will leave here tonight for Cleveland and Chicago.

•

WALTER WANGER is expected in New York today from the Coast.

WILLIAM J. HEINEMAN, Eagle-Lion sales vice-president, has returned to New York from a tour of the West and Midwest.

•

HAROLD WILSON, president of the British Board of Trade, is due here early in the new year on general government business but is expected to confer with ERIC JOHNSTON, Motion Picture Association of America president, while in New York.

•

JAMES R. GRAINGER, Republic distribution vice-president, left here yesterday by plane for Chicago, Milwaukee and San Francisco, en route to Los Angeles where he will spend the holidays.

•

MONTY BANKS, British producer; ALAN LADD and his wife, and GRACIE FIELDS are due here tomorrow from England on the *SS America*.

•

HARRIET SILVERMAN of Loew's International here will be married on Saturday to MARVIN WEISS. They will honeymoon at Lake Placid.

•

CARTER BARRON, Loew Theatres Eastern district manager, will serve as treasurer of the Jefferson-Jackson Victory Day dinners on Feb. 24.

•

EMERSON YORKE, television film producer, will return here at the weekend from Chicago.

Say Televiewers Cut Theatre Going 25%

PRINCETON, N. J., Dec. 14.—Motion picture theatre attendance by persons owning television sets is 25 per cent below that of non-video owners, according to simultaneous surveys conducted in three large television centers by Audience Research, Inc.

ARI points out, however, that home set installations are numerically insignificant at this time and could not contribute to any appreciable over-all loss at the box-office, although a "significant trend for the future" is indicated.

ARI said that the surveys also showed that approximately 1,500,000 families expect to purchase a television set next year. It added that if a "good set" were available at $200 about half of the families in metropolitan areas would be interested. Currently the average price of a set is $400, according to ARI.

Roy Edwards Heads Cameramen's Local

Roy Edwards has been elected president of International Photographers of the Motion Picture Industry, Local No. 644 (IATSE). Installation will be held Jan. 4.

Other officers elected are: Fred Fordham, vice-president; John Visconti, secretary; Jay Rescher, treasurer; Walter A. Lang, business representative; Frank Landi, sergeant-at-arms; Edgar Hatrick, trustee. A new executive board was also elected.

Talent Guilds in Television Merger

HOLLYWOOD, Dec. 14.—Following a week of conferences, committees representing five talent guilds last night announced agreement on a plan for regulating jurisdiction in the television field. The plan contemplates merging Actors Equity, AFRA, American Guild of Musical Artists and Chorus Equity into one union, followed by the establishment of a partnership of this union with the SAG. The partnership would administer jurisdiction.

The agreement, which will be submitted to the respective boards for approval, calls for the appropriation of $100,000 by each of the two partners for use in organizing and administering the television field.

'Multi-sound', Big Screen for 'Portrait'

Equipment for an enlarged cyclorama screen, 30-by-40 feet in dimension, and a new system of sound effects called Multi-sound are being installed in the Carthay Circle Theatre in Hollywood for the final hurricane sequence of David O. Selznick's "Portrait of Jennie," which will have its premiere on Christmas Day. Similar screens and sound systems will be used in many other first-run houses throughout the U. S. and Canada, according to SRO, which adds that the 30-by-40 screen will be used in houses that have sufficient space and that all other screens will be at least 36 feet wide.

Newsreel Parade

THE newsreel spotlight turns to many parts of the world in current releases. Also highlighted are sports and fashions. Complete contents follow:

MOVIETONE NEWS, No. 100—President Truman presented with turkeys. Mrs. Eleanor Roosevelt returns from Paris. President Prio of Cuba greeted in New York City. Russian airmen flee from Iron Curtain. New helicopter. Sports: Wat[illegible]w, horse racing. Spirit of Christmas.

NEWS OF THE DAY, No. 230—Aviation's new model. Israel President Weizmann visits Jerusalem. First views of the new WACS. "Pro" football playoff. Wonder horse wins again. New desert paradise.

PARAMOUNT NEWS, No. 33—Helicopter preview of tomorrow's flight. Women's uniforms make news. Quebec welcomes Prime Minister Louis St. Laurent. Pre-holiday visit with President Truman. Desert resort in California.

UNIVERSAL NEWSREEL, No. 203—Israel's President Wcizmann in Jerusalem. Arabs get homeland aid. New helicopter. Aluminum shoes. American Legion chief Harry Brown's homecoming. Christmas news. Football.

WARNER PATHE NEWS, No. 35—Horseracing. Football. Pathe records Christmas spirit around the world.

SPG Will Ask for 25% Pay Increase

CIO's Screen Publicists Guild is preparing to renew its bid for a 25 per cent general pay increase, an SPG spokesman indicated here yesterday.

Some months before its recent compliance with the non-Communist affidavit provisions of the Taft-Hartley Law, the guild presented new contract demands, including a 25 per cent pay increase, to distributors. At that time, however, all distributors, except Eagle-Lion, refused to "do business" with SPG until its officers had filed the non-Communist affidavits with the National Labor Relations Board.

Nominations Are Set for SPG Executive Council

Nominations for the executive council of the Eastern Screen Publicists Guild have been announced, with some candidates running for more than one office on different slates.

Nominated for president: Sigmund Maitles, M-G-M; Seymour Romano, Columbia; Ray Murray, Columbia; Victor Sedlow, 20th Century-Fox. For first vice-president; Lou Meyers, Columbia; Murray Goldstein, Columbia; Murray, and Ben Lassen, RKO. For second vice-president: Goldstein; Charles Ryweck, Columbia; Myers; Leo Israel, 20th Century-Fox. Maria Van Slyke of Eagle-Lion is running for secretary, unopposed. Election date has not been set yet.

Roy C. Jones, 62

KANSAS CITY, Dec. 14.—Roy C. Jones, 62, who was associated with Commonwealth Theatres as a theatre manager and in its booking department for 18 years before his retirement three years ago, died here yesterday in Kansas City Hospital. He was at one time a cameraman for Pathe on the Coast. He is survived by the widow. Services will be held tomorrow, with burial here.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.



I HAVE JUST COME FROM HOLLYWOOD!"

(You'll profit by reading this eye-witness report!)

On the West Coast, those who have surveyed the potentialities of all companies are predicting: "M-G-M is 'way out front for '49."

There's good reason for the prediction. The most exciting news out there is the M-G-M Studio.

Nowhere else is production at such a pace. I saw the enthusiasm, the team-work, the burning conviction of leadership.

I attended the Press Preview of M-G-M's Technicolor "Words and Music" at the Academy Theatre. A packed house of hard-boiled newspaper people rocked the theatre with applause. The trade press reviews are ecstatic. This great musical of the life and songs of Rodgers and Hart with 15 stars and 22 song hits is off to a flying start at Radio City Music Hall for Xmas and New Years. Soon for simultaneous New Years release across the nation!

I saw "Barkleys of Broadway" which already is forecast by the Hollywood grapevine as a bigger hit than "Easter Parade." Fred Astaire reunited with Ginger Rogers in a Big-Star-Cast Technicolor musical with sensational numbers and hot music is destined to be the top musical of next year.

I saw "Act of Violence" previewed to terrific acclaim, a thriller starring Van Heflin and Robert Ryan in the story of a man-hunt no woman could stop.

I saw the happy, brimful-of-love production of "Little Women" with the year's gayest cast of youthful stars, a big Technicolor attraction that will spellbind America with its magic appeal.

I saw Broadway's No. 1 stage hit come to life on the screen in M-G-M's mighty production of "Edward, My Son" already forecast by coast observers as one of 1949's Ten Best!

I saw the completed prints in projection rooms of coming Big Ones, "The Bribe" and "Force of Evil" and "The Sun Comes Up" (Technicolor).

I saw with thrilled delight the first screenings of pictures which are yet in work, "The Stratton Story," "The Secret Garden," "The Great Sinner" and the Technicolor musical "Neptune's Daughter." You hear it from the studio technicians, the props, the workers, that these are entertainments to await with joyous expectancy. They know it from the inside!

It is not often that an unqualified promise is made about a picture, but unanimously among film folk in Hollywood it is stated that "Take Me Out To The Ball Game" a Technicolor Musical will without question be one of the top grossing films of next season.

Preview after preview tells the Hollywood story. It's a thrilling story that you should listen to carefully in the New Year coming. It says: **"IN '49 THE DOLLAR SIGN IS M-G-M!"**

Radio Poll

(*Continued from page* 1)

Guy were tied for first last year. Guy's new Kaiser-Frazer show drew substantial votes in the Best Musical Show division and, besides dividing his full critical support, it was insufficient to place him among the winners in the latter category.

Eve Arden replaced Joan Davis, 1947's Best Comedienne; Don Wilson took over the Best Studio Announcer title from Ken Carpenter, and Ben Grauer, who has not appeared among the first three in the announcer's division in recent years, finished second. Carpenter was third.

CBS's Edward R. Murrow again took the Best News Commentator or Analyst title in a walk. Walter Winchell, a stranger to the poll's winning columns, finished second, well ahead of H. V. Kaltenborn, who in earlier years was a perennial favorite of the critics in this division.

Winchell's Votes Split

Winchell, like Godfrey and Lombardo, showed stronger critical favor this year than the results indicate. The voting strength behind Winchell was dissipated by a considerable number of ballots which placed his name in the Champion of Champions division, where he failed to finish among the first four.

Fibber McGee & Molly again were voted the Best Comedy Team. Amos 'n' Andy, obviously picking up voting strength in their new Sunday night CBS spot, finished second, after having been missing for years from among the first place winners in the poll. "mr. ace and JANE" apparently are in good standing with the critics, if not with their sponsor. They took third place in the comedy division, ahead of many strong competing combinations.

Melton Still Tops

Many old favorites proved that they have not been surpassed as yet in the jugdment of the critics by being returned for another year to the top niches.

James Melton was again voted Best Classical Male Vocalist by a wide margin. Dinah Shore was way out in front once more as Best Popular Female Vocalist; while Rise Stevens repeated as Best Classical Female Vocalist.

Bill Stern led the Best Sportscaster field, as in other years, with Red Barber and Mel Allen, in that order, finishing strongly.

Fred Waring, 1947 winner, lost out to Arthur Godfrey in Best Daytime Show classification, taking second place, and finished second behind The Telephone Hour in Best Musical Show division, where he also was first last year.

Lux Theatre Repeats

Lux Radio Theatre was a repeater in Best Dramatic Program class, just ahead of Theatre Guild on the Air, which shared a first place tie with Lux Theatre last year.

America's Town Meeting of the Air swept the Best Educational Program division by a wide margin. Suspense, winner of the Best Mystery Show title, also was way out in front in its division.

Truth or Consequences was voted Best Audience Participation Show for 1948, as it was last year. The critics, outspoken in their disdain for giant giveaways, nonetheless voted Stop the Music second best in the Audience Participation class.

Groucho Marx's program, You Bet Your Life, apparently captured critical favor rapidly. It was voted Best Quiz Show, finishing ahead of many well known oldtimers in the quiz show division, a type of program which, year in and year out, the critics plead for less of. Maybe Groucho demonstrates it "ain't what you do but how you do it" that counts.

The NBC Symphony Orchestra took over first place from the New York Philharmonic in Best Symphonic Orchestra division.

NBC Symphony First

The NBC and CBS publicity services went down to the finish wire neck and neck, with NBC ahead by a whisker at the close. The CBS publicity service was first last year.

The J. Walter Thompson agency was voted Best Individual Publicity Service by the voting writers, who last year picked Earle Ferris. The latter finished third this year, behind the N. W. Ayer boys.

Radio Champions for 1948



Herb Shriner



Eve Arden



Bing Crosby



James Melton



Dinah Shore



Rise Stevens



Fibber McGee & Molly



Don Wilson



Edw. R. Murrow



Bill Stern



Vaughn Monroe



Arthur Godfrey



Groucho Marx

Radio Editors

(*Continued from page* 1)

past made possible the mushrooming of giveaway programs, and that with the trend once more in the direction of improving quality, the giveaways will be forced aside.

An increasing number of good documentaries was cited again and again by those who write about radio.

Oddly enough, only a relatively few of the editors had any comment whatever to make about television or its possible effect on radio. Here and there an editor expressed apprehension that the flight of sponsors' dollars to television might impair radio program quality at some future date but, on the whole, television prospects have made no deep impression yet on the great body of radio editors and columnists, if their silence on the subject is at all indicative.

Here is an assortment of the most frequently mentioned criticisms of radio: Too many quiz and audience participation shows; too little new talent in radio; not enough good comedy shows and genuine comedians; too much mere talk, most of it of no consequence if it is not actually boring, on the air; too many effusive masters of ceremonies with too little to say; too much bombast from announcers; too many guest stars with too little to contribute; too much spurious applause from studio audiences; too few good musical and classical programs.

Among the suggestions noted on critics' ballots is a familiar one, that crime and mystery programs be scheduled at late hours in order to reduce the number of juvenile listeners, and that good dance music, educational and children's programs be substituted for them at the earlier hours.

While many radio editors concede that the networks provide the "best free show on earth," they argue strongly for programs which will better meet "minority listening preferences." They estimate that approximately 35 per cent of set owners are

(*Continued on page* 5)

Complete Results of 1948 Radio Poll

THE complete list of winners and runners-up in the 25 program classifications, as selected by radio editors and columnists of American newspapers and magazines for MOTION PICTURE DAILY'S *1948 annual Radio Poll for Fame, is presented herewith. Sponsors, agencies, networks and broadcast time (E.S.T.) are given for first place winners, networks only for others.*

CHAMPION OF CHAMPIONS (Highest Poll Award)

1. Jack Benny (American Tobacco Co.—BBDO-NBC, Sundays, 7:00 P.M.).
2. Fred Allen (NBC).
3. Bing Crosby (ABC).
4. Arthur Godfrey (CBS).

MOST PROMISING STAR OF TOMORROW

1. Herb Shriner (Alka Seltzer—Wade Adv.—CBS, Monday through Friday, 5:45 P.M.).
2. Robert Q. Lewis (CBS).
3. Doris Day (NBC).

BEST COMEDIAN

1. Jack Benny (American Tobacco—BBDO—NBC, Sundays, 7:00 P.M.).
2. Fred Allen (NBC).
3. Bob Hope (NBC).

BEST COMEDIENNE

1. Eve Arden (Colgate-Palmolive-Peet—Ted Bates, Inc.—CBS, Sundays, 9:30 P.M.).
2. Gracie Allen (NBC).
3. Judy Canova (NBC) and Marie Wilson (CBS), tied.

BEST COMEDY TEAM

1. Fibber McGee and Molly (Johnson's Wax & Allied Products—Needham, Louis & Brorby—NBC, Tuesdays, 9:30 P.M.).
2. Amos 'n' Andy (CBS).
3. mr. ace and JANE (CBS).

BEST MASTER OF CEREMONIES

1. Bing Crosby (Philco Corp.—Hutchins Advertising—ABC, Wednesdays, 10:00 P.M.).
2. Garry Moore (NBC).
3. Arthur Godfrey (CBS).

FILM PERSONALITY MOST EFFECTIVE IN RADIO

1. Bing Crosby (Philco Corp.—Hutchins Advertising—ABC, Wednesdays, 10:00 P.M.).
2. Ronald Colman (Ziv transcription and guest spots).
3. Bob Hope (NBC).

BEST MALE VOCALIST (Popular)

1. Bing Crosby (Philco Corp.—Hutchins Advertising—ABC, Wednesdays, 10:00 P.M.).
2. Perry Como (NBC).
3. Gordon McRae (ABC).

BEST MALE VOCALIST (Classical)

1. James Melton (International Harvester—McCann-Erickson—CBS, Wednesdays, 9:30 P.M.).
2. Robert Merrill (NBC) and Ezio Pinza (guest spots), tied.

1948 Vote on Radio Publicity Services Gives Top Honors to NBC and Thompson

Publicity services rendered by the networks and independent agencies also were appraised by the critics in the *Motion Picture Daily-Fame* poll, with top honors being accorded to National Broadcasting, which replaces CBS in the first spot, and to J. Walter Thompson which supplants Earle Ferris, last year's winner, in the individual category. Sidney Eiges is vice-president in charge of the NBC press department and the Thompson agency's radio publicity department is headed by Albert Durante.



Sidney Eiges



Albert Durante

CBS, 1947's "first," placed second this year with Mutual Broadcasting finishing in the third spot. NBC's "Best" vote is its third since network and independent publicity services in broadcasting were included in the poll seven years ago. N. W. Ayer was voted second place in the independent division this year, followed by Ferris. Last year J. Walter Thompson finished in a second-place tie with David Alber behind Ferris.

BEST FEMALE VOCALIST (Popular)

1. Dinah Shore (Pabst Blue Ribbon Beer—Warwick & Legler—NBC, Fridays, 9:00 P.M.).
2. Peggy Lee (NBC).
3. Jo Stafford (NBC).

BEST FEMALE VOCALIST (Classical)

1. Risë Stevens (Metropolitan Opera pickups on ABC).
2. Marian Anderson (unattached), Lily Pons (unattached) and Eleanor Steber (NBC), tied.

BEST ANNOUNCER (Studio)

1. Don Wilson (American Tobacco Co.—BBDO—Jack Benny Show—NBC, Sundays, 7:00 P.M.).
2. Ben Grauer (NBC and ABC).
3. Ken Carpenter (ABC).

BEST NEWS COMMENTATOR OR ANALYST

1. Edward R. Murrow (Franco-American Products—Ward Wheelock Co.—CBS, Monday through Friday, 7:45 P.M.).
2. Walter Winchell (ABC).
3. H. V. Kaltenborn (NBC).

BEST SPORTSCASTER

1. Bill Stern (Colgate—Sherman & Marquette—NBC, Fridays, 10:30 P.M. Also Monday through Friday, local New York, NBC, 6:15 P.M. for White Owl Cigars, and special events).
2. Red Barber (CBS).
3. Mel Allen (MBS).

BEST SYMPHONIC ORCHESTRA

1. NBC Symphony (NBC sustaining, Saturdays, 6:30 P.M.).
2. New York Philharmonic (CBS).
3. Boston Symphony (NBC).

BEST DANCE BAND

1. Vaughn Monroe (R. J. Reynolds Tobacco Co.—William Esty—CBS, Saturdays, 7:30 P.M.)
2. Guy Lombardo (MBS pickups).
3. Tex Beneke (Pickups).

BEST DAYTIME PROGRAM

1. Arthur Godfrey (Gold Seal Co.—Campbell-Mithun, Inc.—CBS, Monday through Friday, 10:30-10:45 A.M.; National Biscuit Co.—McCann-Erickson—CBS, Monday through Friday, 10:45-11:00 A.M.; Liggett & Myers Tobacco—Newell-Emmett—CBS, Monday through Friday, 11:00-11:30 A.M.).
2. Fred Waring (NBC).
3. Welcome Travelers (ABC).

BEST DRAMATIC PROGRAM

1. Lux Radio Theatre (Lever Bros.—J. Walter Thompson—CBS, Mondays, 9:00 P.M.).
2. Theatre Guild on the Air (ABC)
3. Ford Theatre (CBS).

BEST EDUCATIONAL PROGRAM

1. America's Town Meeting of the Air (ABC cooperative, Tuesdays, 8:30 P.M.).
2. You Are There (CBS).
3. Living—1948 (NBC)

BEST MYSTERY SHOW

1. Suspense (Electric Auto-Lite Co.—Newell-Emmett—CBS, Thursdays, 9:00 P.M.).
2. Sam Spade (CBS).
3. Inner Sanctum (CBS).

BEST MUSICAL SHOW

1. Telephone Hour (Bell Telephone System—N. W. Ayer—NBC, Mondays, 9:00 P.M.).
2. Fred Waring Show (NBC).
3. The Pause that Refreshes (CBS).

BEST QUIZ SHOW

1. You Bet Your Life—Groucho Marx (Elgin American—Weiss & Geller—ABC, Wednesdays, 9:30 P.M.).
2. Twenty Questions (MBS).
3. Who Said That? (NBC) and Dr. I. Q. (NBC), tied.

BEST AUDIENCE PARTICIPATION PROGRAM

1. Truth or Consequences (Procter & Gamble—Compton Advertising—NBC, Saturdays, 8:30 P.M.).
2. Stop the Music (ABC).
3. People Are Funny (NBC).

BEST NETWORK PUBLICITY SERVICE

1. NBC.
2. CBS.
3. MBS.

BEST INDIVIDUAL PUBLICITY SERVICE

1. J. Walter Thompson.
2. N. W. Ayer.
3. Earle Ferris.

NBC Leads Nets With Ten Firsts

NBC led the networks with 10 first places in MOTION PICTURE DAILY'S 13th annual Radio Poll for *Fame*. CBS was second with eight first places, and ABC third with seven.

Two of NBC's 10 firsts went to Jack Benny, who switches to CBS on Jan. 2. Bing Crosby with three firsts gave a substantial assist to ABC's showing.

NBC also captured the largest number of second and third place ratings in the poll. It won 10 second places and 13 third places. CBS was next, with eight second place awards and five third places. ABC took four seconds and four thirds, while MBS had one second and two third places.

ABC drew the only fourth place mention in the poll. That was in the Champion of Champions division in which four places are counted. In all other poll classifications only the first three places are recorded.

Radio Editors

(*Continued from page* 4)

non-listeners because of inferior program standards or overdone commercials. They counted, too, that this large, discriminating audience with its silent radio sets represents some of the most substantial buying power groups.

Give them good music, one-hour tabloid versions of grand opera; more responsible, unbiased news commentators, and find time on the air for programs like Henry Morgan's, Candid Mike, CBS School of the Air, and others that have been dropped for something not as good, the editors suggest.

Too Much 'Sponsor'

They complain that radio has vacated to sponsors its right to determine what shall be on the air, and that the result is not in the best interests of radio.

Again this year there were the customary cries for adoption and strict enforcement of a radio code of ethics, for program experimentation in new directions, for the discovery and development of new talent.

There is one definite conclusion to be drawn from the comments of those who write about radio: their interest in the medium remains alive and healthy; their inextinguishable hope for it is that it will continue to improve and to hold and increase its audience in so doing, television notwithstanding.

Grosses Off At NY Runs

While there are the usual few exceptions to the rule, business at New York first-runs for the most part is still on the short side as the expected pre-holiday slump continued this week.

"Words and Music," one of four newcomers, is the week's big money-maker. With the annual Christmas stage pageant in support, the film will very likely give the Music Hall a huge $148,000 for its first week.

"Decision of Christopher Blake," with "Dizzie" Gillespie and others on stage at the Strand is fairly impressive with $42,000 apparent for a first week. A mediocre initial week's take of about $48,000 is indicated for "Let's Live a Little" at the Capitol with the stage show including Bill Robinson, Anna Sten and George Paxton's orchestra. First week of "Northwest Stampede" should provide the Globe with an unimportant gross of about $12,500.

Holdovers are topped by "Joan of Arc," which opened at a second house, the Fulton, yesterday. Continuing at the Victoria, the film appears on its way to a fifth week's gross of $43,000, and that's mighty good.

Another sturdy long-run is "Snake Pit" at the Rivoli where a sixth week's business is estimated at $32,000. "When My Baby Smiles at Me" with Mickey Rooney is holding up fairly well at the Roxy where $73,000 is seen for a third week. The Roxy's next will be "That Wonderful Urge," due on Dec. 21.

At the Park, "Hamlet's" 11th week's draw is figured at $16,000, which means close to capacity. "The Paleface" bows in at the Paramount today, following "Miss Tatlock's Millions," which, with Stan Kenton's orchestra and Red Buttons in person, completed its third and final week with an estimated $55,000 gross, which is adequate.

At the Bijou, "Red Shoes" is still going strong with $15,500 in view for an eighth week. An estimated $8,000 is good for "Blanche Fury" in a fourth week at the Sutton. In view of the length of the run, $16,000 is healthy business for the sixth week of "Road House" at the Mayfair. "Song Is Born" is down to about $12,000 in its eighth week at the Astor. "Live Today for Tomorrow" probably will wind up a second week at the Criterion with a fair $15,000 gross.

De Wolfe to Chicago Stage Show Dec. 24

BOSTON, Dec. 14.—Billy De Wolfe, recently returned from London where he appeared in the Command Performance, will open a two-week personal appearance engagement at the Chicago Theatre, Chicago, on Dec. 24 at a salary of $7,500 per week. He is scheduled to report to the Paramount studio on Jan. 10 to begin work in "Dear Wife" and "Broadway Story." He recently was signed by Paramount to a new five-year contract.

Technicolor Meet Today

Technicolor's board of directors will meet here today. Dr. Herbert T. Kalmus, company president and general manager, will preside. He arrived here from Hollywood yesterday.

Review

"Homicide for Three"

(Republic)

WARREN DOUGLAS and Audrey Long are featured in this standard, fast-moving melodrama, in the course of which several murders are committed, making it adequate fare for the fans of this type of production.

A young Navy lieutenant, played by Douglas, and his wife, Miss Long, encounter difficulties in finding hotel accommodations in Los Angeles but finally secure a suite. After settling in their rooms, they receive a mysterious telephone call warning them of a murder which is about to be committed. The young people hire two private detectives to help them, after two women are found dead. They discover that the third woman marked for death is the lady who loaned them her apartment. She is an aerial artist with a circus and the two dead women were close friends of hers. The police finally arrest the Navy man, his wife and two clowns who were attempting to kill the aerial performer.

At police headquarters it is discovered that the two men who were acting as private detectives were the killers. They had recently been released from prison and planned to murder the three women whose testimony sent them to jail. The police chief admonishes the Navy officer for not reporting the murders but frees him and his wife on their honeymoon. Stephen Auer produced and George Blair directed.

Running time, 60 minutes. Adult audience classification. Release date, Dec. 8.

Two Films Rated 'B' As Legion Reviews 8

Paramount's "My Own True Love" and Distinguished Films' "Four Steps in the Clouds" (Italian) have been given "B" ratings by the National Legion of Decency in its review of eight pictures this week. Classified A-I were: "Fighting Fools," Monogram, and "Renegades of Sonora" and "Sundown in Santa Fe," both Republic. Rated A-II were: Warner's "The Decision of Christopher Blake"; Universal-International's "Mexican Hayride," and J. Arthur Rank-U-I's "Snowbound."

37th Annual Meet For Carolina T. O.

CHARLOTTE, Dec. 14.—Theatre Owners of North and South Carolina will hold its 37th annual convention at the Hotel Charlotte here Jan. 30-Feb. 1.

A feature of the convention will be a homecoming program for show business celebrities of the Carolinas. Among those to whom invitations have been sent are Randolph Scott, Ava Gardner, Kay Kyser, Kathryn Grayson, Abigail Adams and Anne Jeffreys.

Tri - States Allied To Meet in January

MEMPHIS, Dec. 14.—Formation of Allied Independent Theatre Owners unit for the Tri-State territory is moving ahead with a second meeting of local exhibitors set for just before Christmas to fix a date for a January session which will be addressed by national Allied leaders. Ed Cullins of Memphis is temporary city chairman of the group and John Mohrstadt is temporary county chairman. The unit will cover Mississippi, Tennessee and Arkansas, and have headquarters here.

Ellis Resigns

(*Continued from page* 1)

since 1946. For three years previous to that he was New York branch manager for the company. Before going to UA, he was with RKO Radio in New York for 20 years. Ellis has been a four-term president of the Motion Picture Associates and was recently elected president of the Film Board of Trade here.

No successor to Ellis has been selected, said UA.

Schaefer

(*Continued from page* 1)

third of the way by spring, with the final one-third adjustment effected by next fall.

Schaefer, who closed two sales supervisory deals with independent producers during his Hollywood visit, holds that U. S. theatre business in general today "is not too far off" from what might be expected of it. That circumstance, he said, is due primarily "to the fact that larger first-run houses are changing product more frequently." But, he added, the step-up in product turn-over by the country's first-runs is bound to cause a serious product shortage by next fall if Hollywood has not learned by then how to produce more pictures at less cost.

In Hollywood, Schaefer contracted with Screen Plays Productions to serve as sales supervisor of the five pictures which it will release through United Artists. He made a similar arrangement with Lester Cowan in connection with that producer's recently-completed "Love Happy," also slated for UA release. "Love Happy" and Screen Plays' first, "Champion," both will be ready for release in February, Schaefer said. Meanwhile, Enterprise Productions, whose distribution Schaefer heads, has four pictures yet to be released by M-G-M, he reported.

18 from EL

(*Continued from page* 1)

"The Strange Mrs. Crane." Added releases for January will include "An Old-Fashioned Girl" and "Ride, Ryder, Ride," in Cinecolor, first of a new series of Red Ryder features. In February, E-L will release "Shamrock Hill," Equity Pictures' production, and "Roll, Thunder, Roll," second in the Ryder series.

March releases will include "Miranda," J. Arthur Rank production. Two more Equity productions complete the list: "Alimony," for March release, and "Silver Streak," in April.

Blue Seal Trustee

Hearing will be held in U. S. District Court in Brooklyn on Friday on whether the court shall continue a trustee for Blue Seal Cine Devices, Inc., which was approved for bankruptcy last April.

Record Makers, AFM Finalize Peace Pact

A new five-year contract between James C. Petrillo's American Federation of Musicians and the record companies was signed here yesterday.

Frank White, president of Columbia Records, as spokesman for the record industry, signed on its behalf with Petrillo signing for the musicians. Both expressed satisfaction with the new agreement, certain phases of which had been submitted to and declared legal by U. S. Attorney General Tom C. Clark.

The pact, which ends the recording ban imposed by Petrillo's union since Dec. 31, provides for the creation of a trust fund of approximately $2,000,000 a year. It will be derived from a one to two-and-a-half per cent royalty on the sale of each record.

The royalty applies to the sale of records produced between Sept. 20, 1943, and Dec. 31, 1947, and between Oct. 1, 1948, and Dec. 31, 1953. Samuel R. Rosenbaum, a practicing attorney in Philadelphia, has been named trustee with a salary of $25,000 a year.

The new agreement substantially renews former wage, hour and working conditions for recording musicians.

The sale of records during 1948 has dropped by about 35 per cent from the 1947 volume, but still amounted to about $200,000,000, White said. New records will be cut as soon as Petrillo has notified his union's main locals of the new pact. A similar trust-fund agreement will be signed soon by the transcription companies, Petrillo said.

He also disclosed that a new scale for musicians working in television pictures is being worked out. He added that no change in the union's ban against the use of film music for television is in the offing.

Sharp Income Shift To South and West

WASHINGTON, Dec. 14.—Of interest to film exhibition, there was a pronounced shift of income from New England and the middle Eastern regions to the South and West, from 1929 to 1947, the Commerce Department reports.

The share of the nation's total income payments to individuals received by the first two areas dropped from 42 per cent in 1929 to 35 per cent in 1947. The proportion received by the Southeast, Southwest, Northwest, and Far West increased from 29 per cent to 37 per cent. The Central region remained practically unchanged—29 per cent in 1929 and 28 per cent in 1947.

Dollar volume for the nation as a whole was up 130 per cent, from $83,000,000,000 to $190,000,000,000. The Far West's share was up 209 per cent, the Southeast 196 per cent, the Southwest 175 per cent and the Northwest 158 per cent. The Mideast and New England regions increased 94 per cent.

Cut Scenes of Violence

TORONTO, Dec. 14.—Asserting that in the last six weeks the Ontario censorship board had ordered the elimination of 53 scenes depicting "violence without restraint toward humans," O. J. Silverthorne, chairman of the board, has informed distributors here that all scenes of violence are being cut out of pictures for this province.

Gov't Will Oppose New Schine Evidence

WASHINGTON, Dec. 14.—Government attorneys said today that they will oppose a Schine Circuit motion to allow the latter to introduce further evidence in new proceedings slated in Buffalo Federal Court on the government's anti-trust suit. The pending Schine motion also asks the court to require the Justice Department to state what new evidence, if any, the government will introduce. Argument on the motion was postponed yesterday until next Monday by the Buffalo court.

"We don't want this case to drag on forever," a Justice Department attorney said, adding: "We think the record is full enough for the District Court to carry out the Supreme Court's decision. This motion is just to delay the final dissolution order."

Schine's answer to the government's proposed findings and conclusions of law was due this week, but will probably not be filed until the current motion is disposed of.

Scophony Decree

(*Continued from page* 1)

Government will go to trial against Scophony alone, it has decided not to take separate settlements as long as the case is on the calendar.

So the motion to take the case from the calendar is designed to let the Government come to terms with GPE and Television Productions, and then threaten Scophony with a suit against it alone.

Scophony opposed the motion, asking for a six-week stay, during which, it said, it would try to come to terms with Justice.

Judge Knox took the case under advisement. A ruling is expected in several days.

Two Papers Raise Rates

HARTFORD, Dec. 14.—Two Connecticut newspapers have increased amusement advertising rates. The *New Britain Herald,* effective Jan. 1, will increase rates to $1.40 per inch, while the *Hartford Times* announces that effective Feb. 1, amusement rate will be $3.22 per inch.



Have YOU tried a SKYBERTH on American's famous DC-6 "MERCURY" flight to LOS ANGELES?

Phone HAvemeyer 6-5000 or your travel agent

Ticket Offices: Airlines Terminal
Rockefeller Center • Hotel New Yorker
120 Broadway • Hotel St. George

AMERICAN AIRLINES

Routine U. S. Action On E.-L.'s Complaint

Washington, Dec. 14.—The State Department is not likely to do anything more about the Eagle-Lion protest over the French film agreement than transmit the protest to the French Government, a Department official said today.

"The new pact leaves up to the French Government the distribution of the film quota among individual companies," he declared. "The State Department is always reluctant to interfere with another country's administering import rationing. The most we will probably do is ask our Embassy to transmit the Eagle-Lion protest to the proper ministry in Paris."

Cole Ends Testimony In M-G-M Pact Suit

LOS ANGELES, Dec. 14.—Lester Cole wound up his testimony in the trial of his suit for reinstatement of his M-G-M contract this afternoon by denouncing as "high-handed and unwarranted" procedure followed by the House Un-American Activities Committee.

Under questioning by Irving Walker, M-G-M attorney, Cole described his return to Hollywood after the committee hearings in the company of Louis B. Mayer and Howard Strickling, studio publicity head. Cole said he signed a statement at their suggestion reading, "I am a loyal American. I am not an agent of any foreign power. I am not in favor of the overthrow of the American government by force and violence." He also testified he had previously taken an oath of allegiance.

Counsel for Cole sought unsuccessfully to introduce recordings made at the committee hearings of all 10 "unfriendly" witnesses, but Judge Yankwich permitted playing only of a transcription of the Cole hearing.

Eric Johnston, Motion Picture Association of America president, will be on the stand tomorrow.

Extend Exchange of Films in Germany

WASHINGTON, Dec. 14. — The exchange of motion pictures among the Allied occupying powers in Germany, which has been in effect in the Bi-zonal British-American area for some time, has been expanded to include the French zone of Germany and the French sector of Berlin, the U. S. Army reports.

The French-licensed film distributing agency, International Film Alliance, has accepted about 2,400 theatres in the Bi-zonal area as outlets for its films, the report said.

Stockholder vs. WB Suit

LOS ANGELES, Dec. 14.—Stockholder William B. Weinberger has filed suit in Superior Court against Warner Brothers, charging a conspiracy in connection with the organization of United States Pictures in 1945 and demanding an accounting of profits. Plaintiff asserts the alleged conspiracy resulted in an advantage to Milton Sperling and Joseph Bernhard, at the expense of Warner stockholders.

N. Z. Hits British Films, Favors U. S.

WASHINGTON, Dec. 14.—Unexpected criticism of British films and praise for American films comes from the New Zealand Government Censor Board, as quoted in a Commerce Department statement released here.

Says the statement: "British films vary. Some are first-class productions, others are not so good. Often they go a bit further than U. S. films and present crime perhaps too attractively, while the dialogue is sometimes coarse and vulgar which we do not get with U. S. pictures. It is relevant to the English viewpoint, of course, but what suits sections of the big industrial towns of England does not necessarily meet with the ideas of New Zealand audiences. New Zealand has a large picture-going public who have a rather high standard, and are somewhat critical of their films.

"U. S. films also display a more subtle angle in depicting questionable scenes."

Honor O'Dwyer

(*Continued from page* 1)

chairman of the Federation's national campaign, outlined the needs and activities of the organization.

In his talk, O'Dwyer lauded "the job being done by the Federation" and pointed out how vital its endeavors are in augmenting public welfare aid.

Approximately $140,000 was pledged at the luncheon which was attended by 1,000. Rabbi Bernard Birstein delivered the invocation. Others on the dais were:

Jack Alicoate, Barney Balaban, Joseph Bernhard, Harry Brandt, Leo Brecher, Irving Caesar, Jack Cohn, Ned Depinet, Si Fabian, Benjamin Fielding, Emil Friedlander, Leopold Friedman, Herman Gelber, William German, Leonard Goldenson, Abel Green, Francis Harmon, Marcus Heiman, William Heineman, Julius Joelson, Abe Schneider, Andrew W. Smith, Jr., Gael Sullivan, Sol Strausberg.

Also: William Klein, Malcolm Kingsberg, Charles Lewis, Robert Mochrie, Charles Moskowitz, James Mulvey, Thomas Murtba, Louis Nizer, Martin Quigley, Walter Reade, Jr., Samuel Rinzler, Herman Robbins, J. Robert Rubin, Edward Rugoff, Sam Rosen, Arthur Sachson, James Sauter, George J. Schaefer, Paul Schoenstein, Walter Vincent, Joseph Vogel, David Weinstock, Milton Weisman, William A. White.

M. & N. H. Stock Bid

(*Continued from page* 1)

Maine & New Hampshire, said prior to today's meeting that an offer had been made to Paramount for its stock holdings in the theatre company but he did not know whether it would be accepted. When asked after the meeting if there is a prospect of further consideration of the offer by Paramount, he said the subject was not mentioned in any way.

UNESCO Unit Calls For Industry Aid

WASHINGTON, Dec. 14. — Recommendation that cooperation of the American film industry be sought "for the making of short films portraying the U. S. for distribution in countries desiring them" was made in a report by the section on communications of the United States National Commission for UNESCO, it is disclosed in a bulletin of the Library of Congress.

Also recommended was UNESCO's appointment of a liaison officer in New York who would, among other duties, have the fourfold purpose of collecting data on films relevant to UNESCO's program; stimulate the production of films dealing with UNESCO subjects; develop distribution channels for the wider use of films on UNESCO, and represent UNESCO on the UN film board.

The section noted with approval the work of the projects division of the mass communications department of UNESCO in enlisting the aid of film producers, publishers and radio networks in programs designed to promote peace through international understanding.

Mexican Managers To Discuss Slump

MEXICO CITY, Dec. 14.—Measures for bettering exhibition here both from the boxoffice and cultural standpoints will be discussed at the annual convention here late in January of the Mexican Motion Picture Theatre Impresarios Association, it is announced by Francisco Somohano, president. Miguel Aleman, president of Mexico, is expected to open the convention.

With local exhibitors doing only about half the business they were doing this time a year ago, a financial depression that has been hovering over Mexican theatremen for many months will loom large on the convention's agenda.

'Variety Village' From Toronto Tent

TORONTO, Dec. 14.—Variety Tent No. 28 has invited former Premier George Drew of Ontario to lay the cornerstone on Dec. 21 for Variety Village, vocational training center for crippled children of Ontario. Chairman of the function will be J. J. Fitzgibbons, chief barker of the club and president of Famous Players Canadian Corp., who inspired the Variety project. Some $130,000 was raised by the Tent to build the school. Chairman of arrangements is Morris Stein, Eastern division manager of Famous Players.

New York Representative, 44 Wall St.
Foreign Branches:
London, Manila, and Tokyo

Bank of America
NATIONAL TRUST AND SAVINGS ASSOCIATION
California's Statewide Bank

The BANK OF THE MOTION PICTURE INDUSTRY

MEMBER F.D.I.C.

...The SEASON'S BEST
for Every House in the Land from...

20th CENTURY FOX

WHEN MY BABY SMILES AT ME Technicolor

THE SNAKE PIT · YELLOW SKY · ROAD HOUSE

THAT WONDERFUL URGE · UNFAITHFULLY YOURS



Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64. NO. 116 NEW YORK, U. S. A., THURSDAY, DECEMBER 16, 1948 TEN CENTS

FILE COPY DO NOT REMOVE

Cities Demand Taxing Power On Admissions

Would Substitute Local Levies for U. S. Impost

WASHINGTON, Dec. 15.—The 1948 conference of the American Municipal Association, representing some 9,500 cities throughout the country, today came out strongly for repeal of the 20 per cent Federal admission excise and called upon state legislatures to make admission tax authority available to their municipalities.

As expected, a session today on municipal finances adopted a series of resolutions calling for the states to give their municipalities power to raise more money, and centered on admission taxes as "peculiarly suited to municipal administration and justified as a municipal resource."

The conference, attended by some 500 delegates, was the first of its kind, and specifically designed to get the

(*Continued on page 4*)

SIMPP Wants 'Out' From Suit by 'Ten'

HOLLYWOOD, Dec. 15. — Declaring "this means the united front of the industry has been broken," attorney Robert Kenny, who represented Lester Cole and others in the Washington hearings before the Un-American Activities Committee, took time out from the Cole-M-G-M trial in Federal Court here today to release to the press a letter from Gunther Lessing, chairman of the executive committee of the Society of Independent Motion Picture Producers, asking that SIMPP be dismissed as a co-defendant in the $69,000,000 suit pending in Superior Court charging conspiracy

(*Continued on page 4*)

Johnston on Stand In Cole-MGM Trial

LOS ANGELES, Dec. 15.—Motion Picture Association of America president Eric Johnston, principal witness for the defense in the Lester Cole-M-G-M trial, today underwent severe questioning by Cole attorney Robert Kenny regarding circumstances under which the major companies formulated their policy against employing persons indicted for contempt of

(*Continued on page 4*)

Name Hammons ABC Video Consultant

Earle Hammons, president of the new Lion Television Pictures, has been named film television consultant for American Broadcasting by Paul Mowrey, national director of video for the network.

Hammons indicates that he intends to survey film libraries and other sources throughout the country to uncover product for telecasting.

U. K. Film-Video Pact Near Approval

LONDON, Dec. 15.—Another meeting of industry delegations with British Broadcasting Corp. to reconsider late criticism by exhibitors to the joint six months' experimental television agreement will be called shortly.

The pact will undoubtedly be ratified at that meeting and will become effective next month.

The trade already has agreed "in principle" to a mutual exchange of facilities, with distributors renting 18 selected films, six of them American, to BBC and the latter agreeing to large-screen exhibition of its programs in certain London theatres. None of the 18 films is now in commercial circulation in theatres. Financial terms offered by BBC for the films are acceptable to the distributors' organization.

Two American companies have flatly refused to allow their films to be used here on television. At least one

(*Continued on page 4*)

20th, Para. to Sell 14 Away from Rank

LONDON, Dec. 15.—Paramount and 20th Century-Fox will offer exclusively to independent exhibitors no fewer than 14 top-bracket features in their initial sell-away from the J. Arthur Rank circuits. Additional features will be made available from the two companies and, according to present indications, from other American distributors in the near future.

In the Paramount group are pictures of the calibre of "Emperor Waltz," "Beyond Glory," "Dream Girl," "Sealed Verdict," "My Own True Love," "Silver City," "Sorry, Wrong Number," and "Hazard." Six others of similar calibre will be offered by 20th-Fox to independents, with all being made available during January, February and March.

F. E. Hutchinson, Paramount general sales manager here, said that the company has abandoned its first release date plan with inauguration of

(*Continued on page 4*)

Studios, Extras in Agreement on Pact

HOLLYWOOD, Dec. 15.—Completion of negotiations for a new five-year contract, providing for a union shop and replacing the pact in effect since November, 1946, was announced jointly today by the Screen Extras Guild and the major studios.

Among the provisions are agreement by the producers to give preference to players now listed with Central Casting Bureau, creation of a producer-player committee to handle problems not covered by the pact and

(*Continued on page 2*)

U. K. Trade Sees MPAA Booking Plan Failing

LONDON, Dec. 15.—Breakdown of the Eric Johnston plan for selling American films here on a "unit" system appears to be inevitable and a decision by the Motion Picture Association of America to abandon the plan would surprise no one here.

Non-MPAA distributors have been plying a rich trade in booking American pictures as support to British features, thus contravening the Johnston plan, and it is alleged that there has been a breach of faith on the part of other American distributors unable to furnish exhibitors with a second feature in support of a top picture as Johnston promised an Exhibitors' As-

(*Continued on page 4*)

Goldwyn Urges Firm Dealings with Stars

HOLLYWOOD, Dec. 15.—A more stringent attitude on the part of the studios in their relations with star players was called for today by Samuel Goldwyn as he announced cancellation of Teresa Wright's contract because she allegedly refused to cooperate in promoting "Enchantment" in which she appears.

Goldwyn claimed that Miss Wright refused to travel to New York in connection with the opening of the picture and also refused to submit to a periodic examination on the state of her health, as provided in the pact.

No Agreements On Divestiture Made: Wright

U. S. Attorney Discounts Chances of Early Pacts

Recent series of conferences here and in Washington between Department of Justice and Paramount officials on proposals for liquidation by the latter of certain partially-owned theatre interests have resulted in no agreement and none is foreseen in the immediate future, Robert L. Wright, in charge of prosecution of the government anti-trust suit, said here yesterday.

Wright reported that no recent proposals for theatre divestiture or disposal of partially-owned theatre interests had been received from 20th Century-Fox, Warner or Loew's. He said unequivocally that he did not anticipate any agreement on theatre divestiture with any of the four prior to the resumption of hearings in the Paramount case before the three-judge Federal expediting court here next Monday.

Wright was emphatic in saying the

(*Continued on page 4*)

U. S. Expects 3-Day Para. Case Hearing

WASHINGTON, Dec. 15.—Top Justice Department officials expect next week's New York Paramount case proceedings to be very brief, lasting at most two or three days.

They pointed out that most of the defendants are presenting their evidence in the form of affidavits, and that Robert Wright is now checking these in New York.

They denied that Wright is engaging in consent decree negotiations in New York. "He has his hands full

(*Continued on page 4*)

Ohio Owner Charges 9 With Conspiracy

DETROIT, Dec. 15.—A $600,000 anti-trust damage suit was filed in Federal Court here today charging nine companies with conspiracy against Jack Loeks Enterprises, Inc., of Grand Rapids.

Loeks, operating the Power Foto News Theatre in Grand Rapids, blames the alleged conspiracy for the loss of $200,000 in the four-year pe-

(*Continued on page 4*)

Personal Mention

WALTER WANGER, who arrived here yesterday, will return to the Coast today.

•

LOIS ELAINE LIFF will be married to LAWRENCE HERBERT LAPIDUS here this Sunday, not last Sunday as previously announced. The bridegroom is the son of JULES LAPIDUS, Warner Eastern and Canadian division manager.

•

WILLIAM C. GEHRING, 20th Century-Fox assistant sales manager, left here yesterday for Chicago on company business and will attend the Illinois Allied dinner for JACK KIRSCH there tonight.

•

J. W. SERVIES, manager of National Theatre Supply's purchasing department in New York, attended the three-day convention of the National Association of Popcorn Manufacturers, which ended yesterday in Chicago.

•

HERMAN LEVY, Theatre Owners of America general counsel, has been made an honorary colonel on the staff of the Governor of Oklahoma. ARTHUR H. LOCKWOOD, TOA president, was similarly honored recently.

•

JERRY PICKMAN, Eagle-Lion assistant advertising-publicity director, left here last night on business visits to Philadelphia, Baltimore, Atlanta and Miami.

•

EDWARD L. HYMAN, vice-president of Paramount Theatre Service Corp., has returned to New York from Poland Springs, Me.

•

FRED MEYERS, Universal-International Eastern sales manager, is due back in New York over the weekend from Pittsburgh and Cleveland.

•

JEFFREY BERNERD, Monogram producer, will leave here tomorrow for the Coast. He returned from a European vacation this week.

•

PHIL COWAN, former United Artists home office publicist, has joined Stedlom Theatres here as advertising manager.

•

JAMES R. GRAINGER, Republic distribution head, is due on the Coast Monday from here.

•

JACK SCHLAIFER, Eagle-Lion general sales manager, is due here tomorrow from Boston.

•

TOM WALLER, Motion Picture Association of America publicist here, was in Washington yesterday.

Abe Dickstein Will Succeed Jack Ellis

Abe Dickstein, assistant to Edward M. Schnitzer, United Artists' Eastern division sales manager, will become New York district manager on Jan. 1 when the resignation of Jack Ellis, now district manager here, becomes effective.

Four MGM Regional Meets Start Today

Four M-G-M regional sales meetings will get under way today and continue through tomorrow. Field sales managers and territorial assistants will pass on to branch managers details of the week's conferences held in New York last week.

At Pittsburgh, John J. Maloney, Central sales chief, will meet with Saal Gottlieb, Pittsburgh manager; Edwin M. Booth, Cincinnati; Frank J. Downey, Detroit, and Jack Sogg, Cleveland.

Frank C. Hensler, field assistant to Maloney, will meet with his men at the Coronado Hotel, St. Louis, namely, Herbert Bennin, St. Louis manager; Albert L. Adler, Kansas City; Foster B. Gaulker, Indianapolis.

Rudolph Berger, Southern sales manager, will convene his managers at the Statler Hotel in Washington. They are Charles E. Kessnich, district manager, Atlanta; Jerome Adams, Washington; Jacques C. Reville, Charlotte; Ansley B. Padgett, Atlanta; and Louis C. Ingram, Memphis.

John S. Allen, Berger's field aide, will convene three of his branch heads at the Baker Hotel, Dallas. They will be LeRoy Bickel, Dallas; H. Russell Gaus, Oklahoma City, and S. James Briant, New Orleans.

Sam Gardner, field assistant to George A. Hickey, Western sales manager, yesterday opened the first of a two-day meeting with Carl P. Nedley, Salt Lake City manager, and Henry A. Friedel, Denver head, at the Utah Hotel, Salt Lake City.

John P. Byrne, Eastern sales head, yesterday started a two-day conclave at the Astor Hotel here with the following in attendance: John J. Bowen, Ralph Pielow and Lou Allerhand, New York; Robert Lynch and Lou Formato, Philadelphia; Jack Goldberg, Albany; Benn H. Rosenwald, Boston; Jack Mundstuk, Buffalo; Harry Rosenblatt, New Haven and Paul J. Richrath, home office assistant.

RKO Radio Studio In Brief Shutdown

HOLLYWOOD, Dec. 15. — RKO Radio's studio will suspend production for a few weeks around the middle of next week in what was described by the company as the usual holiday shutdown, with the conclusion of filming of "It's Only Money," about Dec. 22. Production go-ahead on either "The Big Steal" or "I Married a Communist" will signal the resumption of activities sometime in January, it is understood.

Temporary studio shutdowns were effected by Universal in the fall and more recently by Warner and Eagle-Lion.

Arnall to Meet Press

Ellis Arnall, new president of the Society of Independent Motion Picture Producers, will hold a press conference at his Waldorf Astoria Hotel suite here today. Last night he was guest speaker at a dinner at the hotel for Vice-president-elect Alben Barkley.

Loew Employes Will Boycott Theatres

New York City's film-goers will be asked to stay out of Loew theatres in an appeal to be initiated today by Loew home office employes, seeking to force resumption of contract negotiations, Screen Office and Professional Employes Guild (CIO) discloses. Some 500,000 circulars, urging the public not to patronize Loew theatres will be distributed in front of theatres, and through local unions to all CIO members in this city, SOPEG said.

An injunction was handed down in New York Supreme Court here recently to halt picketing of the Victoria Theatre on Broadway by SOPEG and Screen Publicists Guild members who were in dispute with RKO Radio, distributor of "Joan of Arc," playing the Victoria. Court ruled that the picketing must cease since the guilds had no dispute with the Victoria's management.

Claim 500 Theatres In 'Jingle' Contest

The "Jingle Jamboree Contest," sponsored by Attendance Builders, a Chicago corporation of which singing star Phil Regan is the head, claims to have signed more than 500 theatres for its first contest, which will get under way Jan. 3. The pay-off on the "Jingle Jamboree" will take place two weeks later, on the evenings of Jan. 17-18-19-20. The awards, amounting to $106,575 weekly, will be paid in government savings bonds and will continue regularly each week thereafter, in the same amount.

Attendance Builders is selling the contest to theatres as a package that includes staging, promotion and advertising, as well as the awards. Signing of an attendance card signifying presence in the theatre at the time awards are announced will protect the winners for 48 hours, AB claims.

Another Meet for 'Schlaifer Drive'

CHICAGO, Dec. 15.—Independent and circuit exhibitors are attending meetings here today and tomorrow for Eagle-Lion's "Jack Schlaifer Testimonial Drive," presided over by Milton E. Cohen, E-L's Eastern sales manager and captain of the drive.

Cohen is also meeting with branch sales personnel to set up policy and machinery for conducting the 26-week drive. Following conclusion of his talks here he will return to the home office in New York.

Technicolor Dividend Up

Technicolor's board of directors yesterday declared a quarterly dividend of 50 cents a share on common stock, payable Dec. 31 to stockholders of record on Dec. 22. Dividend for the previous quarter was 25 cents a share.

2 Rank Films at Beacon

Two J. Arthur Rank productions will have their American premieres at the Beacon Theatre here on Dec. 24 as a twin bill. The films are "Waterloo Road" and "Don't Take It to Heart."

Elect M. A. Cohen Associates' Head

Cinema Circuit head Max A. Cohen was elected president of the Motion Picture Associates here yesterday at a luncheon-meeting of the organization held at the Hotel Piccadilly. As the regular steering committee nominee, Cohen and his entire slate were swept into office unopposed. Cohen succeeds Arthur Mayer, who is now in Germany, where he is serving as Gen. Lucius D. Clay's director of motion picture operations.

Other officers elected for the coming year are: Morris Sanders, first vice-president; Robert J. Fannon, second vice-president; Jules Raiff, secretary; Saul Trauner, treasurer; Louis Kutinsky, sergeant-at-arms.

Voting at yesterday's meeting was also conducted for 15 directors from a field of 23 nominees. Results of that phase of the election were inconclusive, indicating that a run-off election will be held, it was said.

16mm. Program Held Aid to U. S. Abroad

Importance of the government's 16mm. film program in showing the benefits of the democratic way of life to people abroad was stressed by three speakers yesterday at a luncheon-meeting of the New York Film Council at the Hotel Sheraton here. Speakers were: Hamilton MacFadden, associate chief of the international motion picture division of the Department of State; Julian Bryan, executive director of the International Film Foundation, and Lt. Col. William C. Rogers of the civil affairs division of the War Department.

New Company Will Produce in Wyoming

DENVER, Dec. 15.—With Vernon S. Waters, Hollywood actor, as president and carrying the star role under the name of Kinego Waters, a company capitalized at $300,000 will be organized to produce Westerns at Cheyenne, Wyo., soon after Jan. 1. Jacques Jaccard, Hollywood producer-writer-director, will hold those jobs as well as be a partner in the company. William H. Schrader of Denver will be business manager.

The company hopes to lease the double hangar at the Cheyenne airport, but failing in this, it will build.

Studios, Extras

(*Continued from page* 1)

a clause permitting either party to reopen negotiations in 1949 and 1951. In addition, the disputed minimum wage scale of $9.45 remains, subject to further negotiation.

The new contract must be approved by company boards and guild members.

Donaldson in New Post

BOSTON, Dec. 15.—Tom Donaldson, formerly with M-G-M and Eagle-Lion, has started in his new post as sales manager of Universal's local branch, under E. Meyer Feltman, U-I manager here.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.



EVERY HARD GUY CAN BE SOFTENED UP!

OMETIMES YOU DO IT WITH A WHIP
OMETIMES YOU DO IT WITH A WOMAN!

ARNERS HAVE A New Story Sensation!

WHIPLASH!

"HIPLASH" starring DANE CLARK ☆ ALEXIS SMITH ☆ ZACHARY SCOTT ☆ EVE ARDEN with JEFFREY LYNN S. Z. SAKALL • ALAN HALE • directed by LEW SEILER • produced by WILLIAM JACOBS

Screen Play by MAURICE GERAGHTY and HARRIET FRANK, Jr. • Adaptation by GORDON KAHN • From a Story by KENNETH EARL • Music by FRANZ WAXMAN

Trade Show Dec. 20

ALBANY
Warner Screening Room
79 N. Pearl St. • 12:30 P.M.

ATLANTA
20th Century-Fox Screening Room
197 Walton St. N.W. • 2:30 P.M.

BOSTON
RKO Screening Room
122 Arlington St. • 2:30 P.M.

BUFFALO
Paramount Screening Room
464 Franklin St. • 1:30 P.M.

CHARLOTTE
20th Century-Fox Screening Room
308 S. Church St. • 10:00 A.M.

CHICAGO
Warner Screening Room
1307 So. Wobosh Ave. • 1:30 P.M.

CINCINNATI
RKO Screening Room
Palace Th. Bldg. E. 6th • 2:00 P.M.

CLEVELAND
Warner Screening Room
2300 Payne Ave. • 2:00 P.M.

DALLAS
20th Century-Fox Screening Room
1803 Wood St. • 2:00 P.M.

DENVER
Paramount Screening Room
2100 Stout St. • 2:00 P.M.

DES MOINES
20th Century-Fox Screening Room
1300 High St. • 10:00 A.M.

DETROIT
Film Exchange Building
2310 Coss Ave. • 2:00 P.M.

INDIANAPOLIS
Universal Screening Room
517 No. Illinois St. • 1:00 P.M.

KANSAS CITY
20th Century-Fox Screening Room
1720 Wyandotte St. • 1:30 P.M.

LOS ANGELES
Warner Screening Room
2025 S. Vermont Ave. • 2:00 P.M.

MEMPHIS
20th Century-Fox Screening Room
151 Vance Ave. • 10:00 A.M.

MILWAUKEE
Warner Theatre Screening Room
212 W. Wisconsin Ave. • 2:00 P.M.

MINNEAPOLIS
Warner Screening Room
1000 Currie Ave. • 2:00 P.M.

NEW HAVEN
Warner Theatre Projection Room
70 College St. • 2:00 P.M.

NEW ORLEANS
20th Century-Fox Screening Room
200 S. Liberty St. • 1:30 P.M.

NEW YORK
Home Office
321 W. 44th St. • 2:30 P.M.

OKLAHOMA
20th Century-Fox Screening Room
10 North Lee St. • 1:30 P.M.

OMAHA
20th Century-Fox Screening Room
1502 Davenport St. • 10:00 A.M.

PHILADELPHIA
Warner Screening Room
230 No. 13th St. • 2:30 P.M.

PITTSBURGH
20th Century-Fox Screening Room
1715 Blvd. of Allies • 1:30 P.M.

PORTLAND
Jewel Box Screening Room
1947 N.W. Kearney St. • 2:00 P.M.

SALT LAKE
20th Century-Fox Screening Room
216 East 1st South • 2:00 P.M.

SAN FRANCISCO
Paramount Screening Room
205 Golden Gate Ave. • 1:30 P.M.

SEATTLE
Jewel Box Screening Room
2318 Second Ave. • 10:30 A.M.

ST. LOUIS
Strenco Screening Room
3143 Olive St. • 9:30 A.M.

WASHINGTON
Warner Theatre Building
13th & E Sts. N.W. • 10:30 A.M.

U.S. Would Eliminate Trial of Scophony

The government's strategy in the Scophony case is to isolate Scophony and ask the New York District Court to rule against Scophony without any further trial.

The government on Tuesday asked the court here to take its case off the trial calendar and put it on the motion calendar. If this is granted, the government would then enter consent decrees with the other major defendants—General Precision Equipment Corp. and Television Productions, and would then move that the court hand down a decision finding Scophony guilty on the basis of evidence already in.

SIMPP

(*Continued from page* 1)

on the part of the employing studios to refuse employment to the "unfriendly ten."

The Lessing letter read in part:

"This is to advise that SIMPP has at no time entered into any of the alleged conspiracies," and closed with the request that SIMPP be dismissed as a defendant.

Kenny said charges against SIMPP will be withdrawn.

Kenny told the press that Lessing's letter indicates that SIMPP under Ellis Arnall has broken away from the Motion Picture Association of America at the policy level.

In response to a query on the letter released by Kenny, Lessing said:

"SIMPP has at no time conspired as alleged by the plaintiffs, nor has it created a 'blacklist.' My letter so stated. Whether any individual member of SIMPP chooses to employ or not to employ any person is, as it has always been, entirely up to him. There has been no policy followed with respect to this matter, and therefore there could be no change."

Crouch To Produce

"Citation," original race track story by Jon Napier, has been purchased by W. F. C. Productions, Inc., for production here as a feature under the supervision of Bill Crouch, New York producer. Shooting is scheduled to start early next spring.

No Agreements

(*Continued from page* 1)

Monday hearing would go ahead on schedule.

He declined to reveal details of any proposals discussed with Paramount in recent weeks, stating only that no agreement has been reached and expressing his belief that none could be reached within the next few days. He did not rule out the possibility of discussions being resumed with Paramount or other companies at a later date, however.

For their part, Paramount and other company officials have repeatedly said, despite their continuing conferences with government representatives, that they regard the position of the Department of Justice on theatre divestiture as being much more severe than is warranted by either the Supreme Court decision or the pronouncements of the New York Federal court jurists.

Top executives of both Paramount and 20th-Fox have expressed the belief that the companies will fare better in the courts than they possibly could by submitting to the Justice Department's present demands.

Ohio Owner Charges

(*Continued from page* 1)

riod he has been running his independent theatre.

Named as defendants in the suit are W. W. Butterfield, Michigan Theatres, Bijou Theatrical Enterprises, B. and J. Theatres, RKO Radio, Loew's, Paramount, 20th-Fox, and Warner.

The defendants are charged with conspiring to deprive Loeks of a choice or chance to buy new pictures with wich he can compete with distributor-owned or affiliated theatres.

Accused of Embezzling

PROVIDENCE, Dec. 15.—Police today charged Russell Mowry, treasurer of RKO's Albee Theatre with embezzlement of $5,000. Mowry is said to have told police that he faked robberies to cover up his own thefts. He led detectives to a vault in the theatre's basement where $3,100 was found, the amount taken in a supposed holdup last Thursday. Mowry claimed that he could not manage on his $46 weekly salary, it was said.

Johnston on Stand

(*Continued from page* 1)

Congress following Un-American Activities Committee hearings.

Johnston described a meeting at the Shoreham Hotel in Washington a day before the hearings opened, in which counsel for 19 summoned to the hearings sought agreement with attorneys for majors on a course to be followed. No agreement was found feasible, the MPAA head asserted.

He then described a meeting with major company heads at the Waldorf-Astoria in New York, Nov. 25-26, at which time Nicholas Schenck brought in a resolution which was modified after objections by Samuel Goldwyn and E. J. Mannix,

Kenny then introduced a copy of Johnston's speech to the Picture Pioneers, reprinted in the *Congressional Record,* quoting Johnston as saying, "They may have had a right to challenge the (Thomas) committee. I don't know. That is something to be tested in the courts." Kenny stopped interrogation at this point.

Earlier in the day Maurice Benjamin had sought to testify concerning information assertedly in the possession of company presidents when the policy decision was made, but Judge Yankwich ruled this would be hearsay evidence.

M-G-M executive James McGuiness, mentioned in Cole's testimony as having urged his dismissal, said on the stand he had never discussed the question.

Cities Demand

(*Continued from page* 1)

members together on some broad policies which will be lobbied for in state and Federal legislatures.

It was apparent from the tone of the meeting and speeches made on the floor that most of the cities are all set to levy admission taxes the moment they have the power to do so.

The meeting also urged the states to give all towns and cities authority to require theatre license fees.

John W. Snyder, Secretary of the Treasury, and AMA officials will confer early next year here to work out taxation fields where federal, state and municipal governments now compete.

20th, Para. to Sell

(*Continued from page* 1)

the independent group and hencefort will sell the country by areas.

"This will apply to London as we as to the rest of the country," Hutch inson said. "Places like Tooting an Mitcham (London suburbs) will be come towns from the point of view c selling treatment. Essentially, it wil mean that the independent exhibito who hitherto has occupied the subse quent-run position will be [illegible] first-run house."

Independent exhibitors are welcom ing the new setup.

MPAA Booking Plan

(*Continued from page* 1)

sociation delegation would be don when he announced his all-American booking plan.

In any event, it must be confessed that the Johnston plan has not been an unqualified success. It is expected to be a top agenda point at the Anglo-U. S. Films Council meeting in New York next March and, therefore, the Exhibitors' Association is further pressing its argument that its general secretary, Walter Fuller, and exhibitors like Sir Alexander King should attend the New York meeting.

U. K. Film-Video Pact

(*Continued from page* 1)

other is arguing for a realistic attitude directed at getting the best film rental terms possible from BBC and advocating allocation of a special television wave-length to the industry for broadcasting its own programs. Still other Americans either have taken no stand, awaiting word from their home offices, or have agreed to make available certain out-of-circulation films.

U. S. Expects

(*Continued from page* 1)

working on the affidavits," one top Justice official said.

After both sides finish putting in evidence, according to these officials, the court will probably direct one side or the other to submit amended findings of fact. Then the other side will submit its amended findings, then there will be argument, and "one of these days we'll get a decision, if something else doesn't happen first," they said.

Midwest Drive-in Meets

BOSTON, Dec. 15.—The 11th annual stockholders meeting of Midwest Drive-in Theatres, was held at the Hotel Statler, with Phillip Smith, president, presiding. The corporation is said to be the largest of its kind in the country, operating 13 theatres.





Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64. NO. 117 NEW YORK, U.S.A., FRIDAY, DECEMBER 17, 1948 TEN CENTS

FILE COPY DO NOT REMOVE

MR. JOYCE O'HARA,
MOTION PICTURE ASSOC. OF AMERICA,
28 WEST 44TH ST., 21ST FL.
NEW YORK, N. Y.

Para. Controls DuMont, Says FCC in Ruling

Would Reject Pending Bids for Video Outlets

WASHINGTON, Dec. 16.—Federal Communications Commission today ruled that Paramount controls Allen B. DuMont Laboratories and that neither Paramount—as long as it controls DuMont—nor DuMont nor any Paramount subsidiary should be allowed to get any new television stations.

The ruling came in a proposed decision which would specifically dismiss applications by DuMont and Paramount subsidiaries for video stations in five cities: in Cleveland and Cincinnati for DuMont; in Detroit for United Detroit Theatres; in Boston for New England Theatres, and in San Francisco for Television Productions, Inc. It would presumably apply as well to an application by Gulf Theatres for a station in Tampa, which was filed after the Paramount-DuMont issue came up. The Tampa application was filed as a possible

(*Continued on page 4*)

Ted Gamble Closes Deal for Standard

MILWAUKEE, Dec. 16.—Deal by which Ted R. Gamble will take over Standard Circuit's 30 theatres in Wisconsin reportedly has been closed.

Gamble has been working on details of the closing for the past 10 days, with the deal scheduled to become effective Jan. 1. L. F. Gran, general manager of the circuit will continu

(*Continued on page 4*)

Frank To Confer on $4,000,000 Deal

Hollywood, Dec. 16.—Producer-circuit owner W. R. Frank will leave here next Wednesday for his home city of Minneapolis for conferences with unnamed Chicago interests seeking the purchase of his 16 theatres in the Minneapolis area. Nine are in the Twin Cities, the remainder in adjacent towns. Frank said a $4,000,000 purchase price has been discussed.

Elect Einfeld 20th Vice-pres.

Election by 20th Century-Fox's board of directors of Charles Einfeld as vice-president in charge of advertising-publicity was announced here by 20th-Fox president Spyros P. Skouras, following yesterday's regular monthly meeting of the board.



Charles Einfeld

Einfeld replaces Charles Schlaifer as director of advertising-publicity-exploitation, and for the past several weeks has been active in that post preliminary to yesterday's board election.

Until recently, Einfeld was president of Enterprise Productions. His

(*Continued on page 4*)

Legislative Group Appointed by KMTA

KANSAS CITY, Dec. 16.—Board of directors of the Kansas-Missouri Theatre Association, meeting here today, completed its legislative committee by the appointment of members representing the several legislative districts of the exchange area, namely: For Kansas, J. E. Pennington, Topeka; R. R. Biechele, Kansas City; Ed Dorrell, Emporia; Huston Sterrett, Insley; Dal Danielson, Russell.

Homer Strowig is legislative committee chairman for Kansas-Missouri. District members are: W. O. Lenhanhart, Trenton; Elmer Bills, Salsbury; Virgil Harbison, Tarkio; J. A. Becker, Independence; Richard

(*Continued on page 4*)

Banish All Errant Industryites: Arnall

"Not only stars but everyone convicted of breaching moral standards should be eliminated from the industry," Ellis Arnall, president of the Society of Independent Motion Picture Producers, told the press at a meeting at the Waldorf Astoria Hotel here yesterday.

Sanctions against performers whose names are linked with unsavory public scandals have been advocated by Allied States.

60 Para. Toppers in Gowthorpe Tribute

More than 60 executives of Paramount, joined by many exhibitors, will honor Montague F. Gowthorpe of Paramount today at a testimonial luncheon in the Hotel Astor here.

Gowthorpe, who has been with Paramount for 28 years, is leaving his post as treasurer of Paramount Theatres Service Corp. to become president and general manager of W. S. Butterfield Theatres in Michigan.

Among speakers at the luncheon will be Barney Balaban, president of Paramount Pictures; Adolph Zukor, chairman of the board; Leonard H. Goldenson, vice-president in charge of theatre operations, and Austin C. Keough, vice-president and general counsel of Paramount.

Rank Deal On for a First-Run in Chicago

CHICAGO, Dec. 16.—Negotiations are underway by the J. Arthur Rank Organization to build a theatre as a first-run outlet for Rank productions and other foreign films, to be located near the north side of Chicago, it is reported here. The deal would involve rebuilding for a 21-year lease.

Arnall Wants Gov't Support In UK Dispute

Put Trade on Top-Level Basis, SIMPP Head Urges

Ellis Arnall, president of the Society of Independent Motion Picture Producers, yesterday expressed the conviction that the film industry could place itself in a stronger position if it were to work through the U. S. State Department in dealings with England and other foreign countries.



Ellis Arnall

Arnall said that the British government represents its film industry and for that reason representation of of the U. S. film trade should be

(*Continued on page 4*)

Judge Rules Today In Cole-MGM Suit

LOS ANGELES, Dec. 16.—Federal Judge Leon Yankwich will render decision tomorrow in Lester Cole's suit against M-G-M for reinstatement of his contract, which he alleges the studio violated by suspending him following his refusal to answer certain questions before the House Un-American Activities Committee. Opposing counsel tonight completed their arguments, and the jurist said he will make his decision after the jury sub-

(*Continued on page 4*)

Unions Clash Today Over 20th, Columbia, Loew's

Legal maneuvering by competing AFL and CIO film home office workers' unions will begin today at the National Labor Relations Board here in the jurisdictional disputes involving "white collarite" shops at 20th Century-Fox, Columbia, and Loew's.

No contracts have covered those workers since the expiration last September of pacts held by CIO's Screen Office and Professional Employes Guild. New contract negotiations were obviated by the companies' refusal to "do business" with SOPEG until its officers had complied with the non-Communist affidavit provisions of the Taft-Hartley Law. Meanwhile, AFL's IATSE Motion Picture Home Office Employes Local No. H-63 began campaigns to win 20th-Fox's, Columbia's and Loew's employes away from SOPEG.

WB Alters New Stand On Co-operative Ads

Chicago, Dec. 16.—Although it has been reported that Warners will discontinue at once all co-operative advertising with exhibitors throughout the country, the company, nevertheless, will share approximately 50 per cent of advertising costs with Balaban and Katz for "June Bride," opening Dec. 23 at the State Lake.

Personal Mention

MONTAGUE SALMON, managing director of the Rivoli Theatre here, flew to Durham, N. C., last night. He is due back tomorrow.

•

FRED S. MEYER, 20th Century-Fox industrial relations executive, and MRS. MOLLY MAY WEBER were married in Hollywood Wednesday. The couple is honeymooning at Palm Springs.

•

ERIC JOHNSTON, Motion Picture Association of America president, will fly to Chicago over the weekend from Hollywood.

•

F. L. HARLEY, 20th Century-Fox International managing director in Europe, will arrive here today from France on the *SS America*.

•

ALBERT WARNER and SAM SCHNEIDER, Warner vice-president, are en route here from meetings at the Warner studio.

•

ALFRED HITCHCOCK, accompanied by his wife, is here from the Coast to meet his daughter, PATRICIA, who will return tomorrow from England.

•

MARION COLES, M. and P. Theatres treasurer, was in New York yesterday from Boston.

•

IRWIN MARGULIES, film attorney, will leave here today for a two-week stay at his Hollywood office.

•

WILLIAM F. RODGERS, M-G-M sales vice-president, will leave here tomorrow for a Miami vacation.

•

RION BERCOVICI has returned to New York from Paris.

Kramer with Cuban Firm

Milton Kramer's new position as president of a Cuban holding company has resulted in his becoming inactive as board chairman of Selznick Releasing Organization. No decision has been made on naming a successor to either Kramer or Neil Agnew, who resigned from the presidency of SRO a few months ago.

Boston Conciliation Board Set by TOA

Boston, Dec. 16.—Theatre Owners of America's local conciliation board was established here today with Interstate Theatres' Harold E. Stoneman as chairman.

Other board members are Stanley Sumner of the University Theatre, Cambridge, and Louis Richmond of Richmond and Stern Amusements, Boston. Alternate members are: Max L. Levenson, Daniel Finn, Theodore Fleischer, Larry Herman, Louis M. Gordon, Nathan Eisner and Lawrence G. Laskey.

Bradley Is Forming Film Storage Firm

John G. Bradley, formerly of the National Archives and more recently active in the motion picture affairs of the Library of Congress, currently on leave, came to New York yesterday from Washington in connection with the organization of a company to handle his water-seal storage cabinet for preserving films and archives. The project is said to have the cooperative interest of film producers and of organizations concerned with the preservation of archives. Bradley was for years chairman of the Society of Motion Picture Engineers' committee on film preservation.

Wash. Solons Attend ITO Annual Meeting

SEATTLE, Dec. 16.—All officers of the I. T. O. of Washington, Northern Idaho and Alaska, headed by J. M. Hone, executive secretary, were reelected at the organization's annual meeting here this week. All directors were reelected also.

A feature of the meeting was the presence of members of the Washington state legislative body as guests at the all-industry meeting held in conjunction with the state organizations' annual session.

Ill. Allied Marks 6th Year of Buying Unit

CHICAGO, Dec. 16.—More than 600 members of the film industry, including sales executives of the major companies and exhibitors of the Chicago area, tonight participated in Illinois Allied's anniversary party to commemorate six years of Allied's buying and booking division headed by Jack Kirsch, president. Kirsch, who spoke briefly, was presented with a card table set.

Ellis Will Offer to Quit Film Board Post

Jack Ellis, president of the New York Film Board of Trade, is expected to suggest the election of a successor in that post at a meeting of the organization today on the grounds that, tentatively at least, he is ineligible to continue. Ellis resigned as New York district manager for United Artists this week, thus disqualifying him from the Film Board presidency on a technicality.

Tom Clark a Thespian

WASHINGTON, Dec. 16.—U. S. Attorney General Tom Clark will make his film debut in Universal-International's "Illegal Entry." Clark and Watson B. Miller, head of the U. S. Immigration and Naturalization Service faced the cameras today in Washington, to provide a prologue for the picture, said to be the first documentary film to be made with the full cooperation of the Immigration Department.

B. & K. $3 Dividend

CHICAGO, Dec. 16.—Balaban and Katz directors have declared a $3.00 dividend on the common stock, payable on Dec. 29.

George Atton Wins Q. P. 'Youth' Award

George Atton, manager of the Fox Hanford Theatre, Hanford, Cal., has been declared the winner of the first annual competition for the special Quigley Award of *Motion Picture Herald's* "Managers' Round Table" in its national "Youth Month" program. Runners-up included, as second choice, the campaign prepared by J. B. White, manager of the President Theatre, Manchester, Ga., and as third choice, the job done by manager John Corbett of the Park Theatre, Taunton, Mass.

The judges, who were unanimous in their selections, were: Paula Gould, publicity director for the Capitol Theatre here, Beatrice Ross, exploitation manager for Republic Pictures in New York, and Blanche Livingston of the exploitation and publicity department of RKO Theatres.

Lichtman to Coast; Leaves Denials Here

Al Lichtman, M-G-M studio executive whose contract will expire next March, is scheduled to leave here for the Coast today. Lichtman denied reports that he will join a major company here in charge of its sales policy and others to the effect that he is interested in purchasing a Midwestern theatre circuit.

"Nothing to it," Lichtman said.

Sam Dembow Will Handle Benny Film

HOLLYWOOD, Dec. 16.—Jack Benny's Amusement Enterprises has appointed Sam Dembow, Jr., as its New York representative in charge of sales and promotional activities of "Lucky Stiff," produced by Benny.

Will Show 'Twist' Here

"Oliver Twist," J. Arthur Rank production which has evoked protests and an attempt by the New York Board of Rabbis to prevent its showing here, will be released in this country "at the earliest suitable date," according to John Davis, managing director of the Rank organization in London, who announced this decision in a letter to Elmer Rice, spokesman on censorship for the American Civil Liberties Union. At issue in the controversy is the allegedly "anti-semitic" portrayal of the character "Fagin."

N.Y. Colosseum Party Set

New York lodge of the Colosseum of Motion Picture Salesmen of America has selected the Tavern-on-the-Green here as the site of its first dinner-dance, to be held in March, it was reported here yesterday by lodge chairman Charles Penser who named Lee Greenfield chairman of an arrangements committee.

RADIO CITY MUSIC HALL
Rockefeller Center
"WORDS AND MUSIC"
JUNE ALLYSON • PERRY COMO
JUDY GARLAND • LENA HORNE
GENE KELLY • MICKEY ROONEY
ANN SOTHERN
Color by TECHNICOLOR
A Metro-Goldwyn-Mayer Picture
THE GREAT CHRISTMAS STAGE SHOW

DARRYL F. ZANUCK presents
OLIVIA de HAVILLAND
the Snake Pit
Directed by ANATOLE LITVAK • Produced by ANATOLE LITVAK & ROBERT BASSLER
20th CENTURY-FOX
RIVOLI B'way & 49th Street

"The Paleface"
Color by Technicolor
starring Bob HOPE Jane RUSSELL
A Paramount Picture
IN PERSON BENNY GOODMAN And His Orchestra featuring BUDDY GRECO plus PEPITO BROS BUDDY LESTER
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

SAMUEL GOLDWYN presents
DANNY KAYE • VIRGINIA MAYO
"A SONG IS BORN"
COLOR BY TECHNICOLOR
Broadway at 45th Street ASTOR Cont. from 8:45 AM Midnight Show

J. Arthur Rank presents
"THE RED SHOES"
Color by Technicolor
BIJOU THEATER, 45th Street West of Broadway
All Seats Reserved, Mail Orders
Twice Daily
Extra Matinees Saturday and Sunday
Late Show Saturday Evening 11:30
An EAGLE LION FILM Release

TOO BIG FOR ONE THEATRE
JOAN OF ARC
starring INGRID BERGMAN
A VICTOR FLEMING PRODUCTION
COLOR BY TECHNICOLOR
CAST OF THOUSANDS with JOSE FERRER
FRANCIS L. SULLIVAN • J. CARROL NAISH
WARD BOND • SHEPPERD STRUDWICK • HURD HATFIELD • GENE LOCKHART • JOHN EMERY
GEORGE COULOURIS • JOHN IRELAND and CECIL KELLAWAY • based upon the stage play "Joan of Lorraine" by MAXWELL ANDERSON
Screen Play by MAXWELL ANDERSON and ANDREW SOLT • Art Direction by RICHARD DAY
Director of Photography, JOSEPH VALENTINE, A.S.C.
Produced by WALTER WANGER
Directed by VICTOR FLEMING
presented by SIERRA PICTURES, Inc.
released by RKO RADIO PICTURES
CONTINUOUS AT THE VICTORIA B'WAY at 46th ST. 7 SHOWS DAILY
RESERVED SEATS AT THE FULTON 46th ST. W. of B'WAY MATS. $1.80 EVES. $2.40

BETTY GRABLE • DAN DAILEY
"WHEN MY BABY SMILES AT ME"
in Technicolor
A Twentieth Century-Fox Picture
ON STAGE: MICKEY ROONEY — Rosario & Antonio — Minevitch's Rascals
ROXY 7th Ave. & 50th St.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary, James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

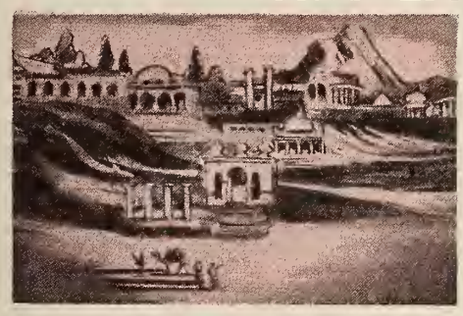
On The Screen For The First Time!

ALL THE SINUOUS, SEDUCTIVE SPLENDOR OF THE SIREN OF...

ATLANTIS!

Fabulous land of mystery . . . Paradise on earth . . . ruled by a ravishing, ruthless Siren whose beauty and cruelty were her power!

THEY LIVE AGAIN!



..Legendary luxury cities!



...Exotic quarters for the Queen's favorites!



...Secret armies...ready to strike against the world!



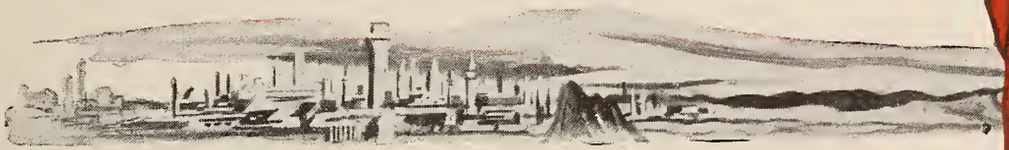
...100 dancing houris...for the royal pleasure!



MARIA Montez · JEAN PIERRE Aumont · DENNIS O'Keefe

in Seymour Nebenzal's

"SIREN OF ATLANTIS"



Directed by GREGG TALLAS • Produced by SEYMOUR NEBENZAL

Based on the novel "Atlantida" by Pierre Benoit • Released thru United Artists

ONE OF THE HARD-HITTING NATIONAL MAGAZINE ADS THAT'LL SELL SELL SELL THRU UA!

Arnall Wants

(Continued from page 1)

elevated to State Department posts here, thus placing American producers on an equal footing with the British.

A resident of Connecticut could assert himself in any situation with the Governor of New York State through his own Governor far more effectively than he could as an individual, Arnall said by way of illustrating his point.

He made this observation when asked if he intended to take up the matter of trade with England with Harold Wilson, president of the British Board of Trade, when the latter arrives here from London next month: "Our government has a direct interest in representing our business people," he said.

Arnall told a press meeting that he is at odds on a variety of issues with Eric Johnston, president of the Motion Picture Association of America, but at all times qualified his remarks with declarations to the effect that it is not his intent to disparage Johnston personally.

Seeks Unity with MPAA Abroad

He said he is hopeful of cooperation with the MPAA in foreign matters. "It is important to the industry that we work together abroad," he declared, but he made it clear again that the assistance of government officials should be sought to eliminate quotas and other restrictions in foreign markets.

Continuing, he said that the view is prevalent among foreign governments that Johnston represents the entire U. S. industry, adding that it is his intention to see that attention is called to independent producers.

On the domestic front, Arnall lashed out anew at the "concentrations of economic powers" within the industry and in this respect looked upon the existence of major companies as imperiling the quality of some pictures. "With the majors owning large chains, they are driving us (independents) to the wall," he asserted. He elaborated on this with the accusation that affiliated circuits, playing the product of their own companies at lowered rentals, can have the effect of reducing rentals for the independents.

May Press Divorcement Issue

At one point Arnall implied that he might take up where the government leaves off on the matter of divorcement in the industry anti-trust suit. Asked if the RKO theatre company which will stem from that company's consent decree with the government would be a target for attack by him, Arnall said that he was firmly against the holding of any advantages in exhibition by any one company.

Arnall prefaced several of his announcements of the form which his job will take with the acknowledgment that he is "not fully conversant with trade problems."

He did say repeatedly, however, that "monopolistic practices" are in strong evidence in the industry, that they are against his principles, and that he sees "a chance to render service to free, competitive enterprise."

His job ahead, Arnall announced, is to substitute equalities for monopolies and it was with this in mind, he said, that he proposed "in very friendly fashion," a discussion on industry practices with Johnston. The offer was turned down subsequently by Johnston because he did not want the industry to become a "debating society" in the eyes of the public, according to press reports which Arnall acknowledged.

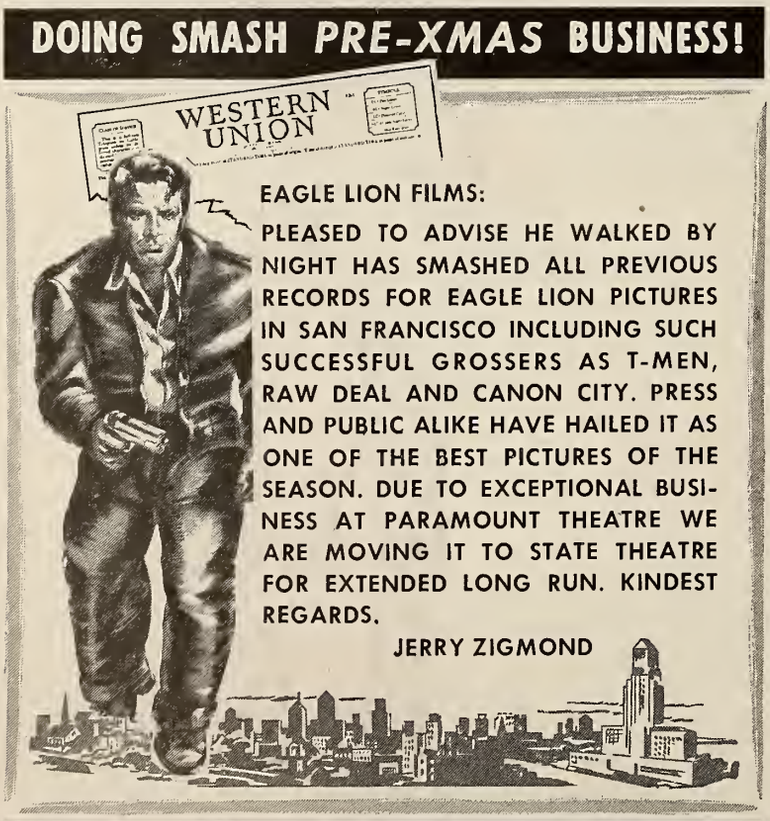
The idea has not been abandoned yet, however, according to Arnall, who reported that the "Town Meeting of the Air" radio program plans to schedule an air discussion on monopoly in the film industry. He said he "assumed" that he and Johnston will be invited to participate. The program is being scheduled at his suggestion, Arnall admitted.

Arnall said that he is holding fast to the position that the public should become acquainted with conditions in the trade and added that he intends to pursue that aim, personally, through his lectures, writings and other ways of reaching the public. He said he will "speak out and call names to direct attention to these (monopolistic) practices."

Uncle Was Georgia Exhibitor

That Arnall is not familiar with the industry as yet was made amusingly obvious when he referred to "Zarryl Danuck." However, he is not entirely a stranger, he showed, in recalling that his uncle, an exhibitor 15 years ago, was forced to sell his theatre because he could not obtain product. He said the purchaser, Oscar Lam of Rome, Ga., was able to buy film. When it was suggested Lam is an independent, not an affiliated circuit, Arnall replied, "No, not a 'letter-writing' affiliate."

Arnall left here last night for Newman, Ga., where he will spend the holidays. He will return to New York following his stay there and will leave for the Coast in January. He said he will spend "a good deal of time in New York" because it is the industry's "selling center" and where the independents require full representation. He will also have an office in Hollywood.



Cole-MGM Suit

(Continued from page 1)

mits its recommendations tomorrow morning.

In admonitions to counsel today, Judge Yankwich reiterated his previous declaration that the prime issue to be decided is whether Cole's behavior under the committee's questioning was of a nature to bring upon him "public scorn and contempt," constituting a lawful cause for the studio to exercise its "morals clause," he said.

McKean Services; Caravel Film Head

Funeral services for Robert C. McKean, pioneer producer and president of Caravel Film, Inc., will be held here tomorrow morning at Campbell Funeral Church. McKean died at his home here yesterday. Surviving are the widow and two sons.

Mrs. Herbert J. White

Mrs. Herbert J. White, 82, mother of Madeline White, Allied Artists-Monogram publicist here, and of H. Edward White of Eastman Kodak, New York, died yesterday morning at her home in Lynbrook, L. I. Funeral services will be held this evening in the Flinch Funeral Home in Lynnbrook; interment will be in the family plot at Rochester, N. Y.

Griffith May Appeal On New Testimony

OKLAHOMA CITY, Dec. 16.—Introduction of evidence ruled out by Judge Edgar S. Vaught earlier and admitted in the recent hearings in the Griffith anti-trust suit may form the basis of an appeal by C. B. Cochran, chief defense attorney, it is understood here.

The new testimony, on talks between exhibitors and distributors, has been described by Milton Kallas, assistant attorney general assigned to present the Justice Department position in the hearing, as bolstering the Department's case for divestiture. Kallas said much of the excluded testimony has been admitted in the light of the Supreme Court's ruling that conspiracy exists..

The hearing to determine the final ruling was recessed last Friday until Jan. 24.

Para.-DuMont

(Continued from page 1)

means of challenging the five-station rule in the courts.

By its finding which, if adopted, would better 20th Century-Fox's chances for a San Francisco station where it is competing with Paramount and three other applicants for two vacancies, the FCC said that Paramount already has five television stations, the maximum it permits any one firm to have.

While the FCC did not say it in so many words, the decision intimated that Paramount's bids for stations might be considered if it were to adjust its stockholding in DuMont.

Paramount now has 20 days in which to file exceptions and ask for oral argument. It is almost certain to do so.

KMTA Appointments

(Continued from page 1)

Brous, Kansas City; Charles Borg, Osceola; Harley Fryer, Neosho.

C. E. Cook is chairman for Missouri, and Biechele is general chairman of this committee of the KMTA, which is expecting to cooperate with a similar committee being set up by the Allied unit of the area.

Members of the recently-appointed arbitration committee were present at the board meeting, and plans for its work were discussed.

Gamble Closing

(Continued from page 1)

in that capacity. The deal is reported to involve $3,000,000 and is the first of several which Gamble will undertake in the Midwest.

He plans to acquire a total of about 70 theatres and ultimately will relinquish his Pacific Northwest theatre operations in favor of the Midwest field, where he already is operating Monarch Theatres. He is reportedly interested in acquiring the W. R. Frank circuit in Minneapolis.

Elect Einfeld

(Continued from page 1)

previous lengthy service in the industry encompassed several years as Warner's advertising-publicity vice-president and 10 years as a vice-president of the old First National Pictures.

Election of Einfeld by the 20th-Fox board marks the first time that the company has had a vice-president in charge of advertising-publicity.

Accurate Concise and Impartial

MOTION PICTURE DAILY

FILM NEWS

COPY DO NOT REMOVE

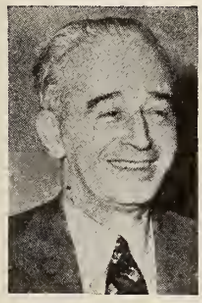
MOTION PICTURE ASSOC. OF AMERICA,
28 WEST 44TH ST., 21ST FL.
NEW YORK, N. Y.
(6 COPIES)

VOL. 64, NO. 118 NEW YORK, U.S.A., MONDAY, DECEMBER 20, 1948 TEN CENTS

M-G-M Plans Expansion of Sliding Scale

Rodgers Seeks Record Sales for Anniversary

William F. Rodgers, M-G-M general sales manager, reiterated with emphasis previous denials that the company has abandoned the sliding scale policy as a basis of rental terms for its product.



William Rodgers

Rodgers, host at a trade press luncheon at the Astor Hotel here Friday, made the following statement concerning the company's sliding scale policy: "Having faith in our product and the future of this business we intend to solicit even a greater number of our

(*Continued on page 6*)

Film Dividends in November Increased

WASHINGTON, Dec. 19.—Publicly-reported cash dividend payments of motion picture companies in November topped November 1947, according to figures released here today by the U. S. Commerce Department, but the gain was very slight and will not affect the general situation in which film

(*Continued on page 6*)

Nizer Chairman of N.C.C.J. Luncheon

Under the chairmanship of Louis Nizer, a 1,000-plate luncheon to commemorate the 20th anniversary of the National Conference of Christians and Jews, sponsors of "Brotherhood Week," will be held in the Hotel Waldorf-Astoria, New York, on Feb. 4, when announcement will be made of awards for outstanding contributions in the fight against bigotry. At least one film industry figure is slated for recognition.

Judge Rules Today In Cole Suit after Jury Upholds Writer

LOS ANGELES, Dec. 19. — Federal Judge Leon Yankwich will render decision tomorrow morning on Lester Cole's suit for reinstatement of his contract with M-G-M, the jurist announced Friday night after the jury ruled in favor of the screenwriter on four questions.

The questions on which the jury was instructed to bring in yes-or-no answers were: whether Cole, by his conduct before the House Un-American Activities Committee brought public hatred upon himself; whether his conduct shocked, insulted or offended the public; whether it caused prejudice against Loew's and the film industry, and whether Loew's attitude toward Cole following the committee's hearings and before his suspen-

(*Continued on page 6*)

Gamble Eyeing Ill., Ind. Theatres Next

MILWAUKEE, Dec. 19.—With his deal closed giving him a half interest in Standard Theatres of Wisconsin, Ted R. Gamble reportedly will open negotiations after Jan. 1 for purchase of a circuit of about 20 theatres in Illinois-Indiana. Identity of the circuit was not disclosed.

Negotiations by Gamble for additional theatres are anticipated later for he has disclosed that he plans to acquire about 70 houses in the Midwest, where he will concentrate after relinquishing his Pacific Northwest theatres.

The Monarch circuit which he acquired last year has been merged with Gamble Enterprises. Robert Coyne, former executive director of Theatre

(*Continued on page 6*)

Code in Germany Seen by Pommer

Among film-industry developments expected in Germany in the near future is the tri-zonal adoption of a voluntary self-regulatory code to govern production, according to Erich Pommer, former head of the motion picture branch of the Office of Military Government—U. S. Pommer, who is here from Germany for a vacation, will continue as the U. S. member of the tri-zonal film coordinating board and as liaison officer for the three-power Import-Export Agency, until April 1, 1949.

The expected code, according to Pommer, will be patterned closely after the Hollywood production code. It would take cognizance of special national needs and would tie in German production, distribution and exhibition in a sweeping move to circumvent eventual censorship by a German government or German local governments.

Challenges Methods Of Operators' Union

DETROIT, Dec. 19.—Union-hall hiring practices and seniority systems were challenged in Circuit Court here by Louis G. Havens, a member of motion picture projectionists' Local No. 199.

Havens charged the union with seeking to blacklist him with employers. He asked an injunction against the assignment of any other union member to his present job at the Fine Arts Theatre here.

He also charged an "oligarchy within the union" maintains members in capricious and unreasonable classifications "for the purpose of strengthening the local union's monopoly and control over the trade of motion picture machine operators throughout the Detroit area.

Navy Accedes to Probe Of Civilian Admissions

WASHINGTON, Dec. 19.—The Navy has taken notice of the protests of local theatre-owner Sidney Lust that civilian admissions to Navy theatres are not properly "policed," and is going to do something about it.

Lust complained that since the services relaxed their policy on civilian admissions last month, many unqualified civilians have been going into the theatre at the Bethesda Naval Hospital, hurting the business of his Bethesda Theatre.

Representatives of the local Navy recreation and welfare division have been checking the hospital theatre, and are instructing hospital authorities on better policing of civilian admissions. They also hope to confer with A. Julian Brylawski, head of the local Theatre Owners of America unit, sometime next week about the possibility of discussing the whole matter with top TOA officials at the TOA board meeting here at the end of January.

US, Companies Still Apart; Case on Today

Divestiture First Issue As NY Hearings Resume

Hearings in the Paramount case will resume in New York Federal Court today with the entire issue of the extent and method of theatre divestiture still to be decided by the three-judge court.

Sales practices, too, are definitely on the agenda with the "Little Three" expected to assert themselves in no uncertain terms in their attempts to obtain legal sanction for a a means of doing business which will not expose them to "ruinous" private trust actions around the country. Preliminary plans for new industry arbitration machinery may also be placed before the court.

It has been more than six weeks since the case was adjourned and in that time the four remaining majors and the government have agreed on stipulations and affidavits by company executives and exhibitor associates, which is to be introduced today, and

(*Continued on page 6*)

Siegel, Markley in Gowthorpe's Post

Simon B. Siegel and Sidney M. Markley, both of the Paramount home office, are slated to take over the treasurer's duties for Paramount Theatres Service Corp. on Jan. 1 when the resignation of Montague F. Gowthorpe becomes effective.

Gowthorpe is resigining the treasurer's post to become president and general manager of W. S. Butterfield Theatres, Inc., in Detroit.

Siegel has been assistant to Gow-

(*Continued on page 6*)

Bresler May Make Picture in Israel

HOLLYWOOD, Dec. 19.—Jerry Bresler may take a leave of absence from Universal-International to produce a picture at the Israel-American Film Company's projected studio at Hersliya in Israel, it was disclosed here by an Israeli representative, who will spend the next three months in Hollywood conferring with producers, directors and writers. The representa-

(*Continued on page 6*)

Personal Mention

PAT CASEY arrived in New York from the Coast at the weekend to spend the holidays.

•

A. J. O'KEEFE, Universal-International assistant general sales manager, has returned here from Buffalo. C. J. FELDMAN, U-I Western division manager, has returned from Detroit and Chicago.

•

SIG MAITLES, M-G-M home office advertising copy chief, and MRS. MAITLES have become the parents of a daughter, BARBARA MOLLY, born at St. Joseph's Hospital, Far Rockaway, N. Y.

•

MRS. LAURENCE AUDRAIN, wife of Prestige Pictures' advertising-publicity director, has returned to her home here after a week at New York's Midtown Hospital.

•

IRVING LESSER and SEYMOUR POE, producers' representatives, will return to New York today from business conferences at Palm Springs.

•

MORRIS SAFIER, distributor, is in Hollywood from New York for conferences with PAUL GORDON and GEORGE MOSKOV, producers.

•

MAURICE N. WOLF, assistant to M-G-M exhibitor relations head H. M. RICHEY, has returned to New York from a Midwest tour.

•

JOHN W. CUTTING, head of Walt Disney's foreign version department, has returned to Hollywood from Argentina and Brazil.

•

DAVID A. LIPTON, Universal-International studio advertising-promotion consultant, has returned to the Coast from New York.

•

BOB HOPE will spend Christmas in Germany entertaining U. S. Occupation Forces. He will be accompanied by his wife.

•

JESSE LASKY, JR., will be married to MRS. BETTY MCCROSSIN ALLEN of New York on New Year's Eve.

•

LEON BRANDT, Eagle-Lion exploitation manager, left here yesterday for Cleveland and Chicago.

•

CECILE STARR has joined the publicity and promotion department of the Princeton Film Center.

•

CARROLL PUCIATO, Realart general manager, has returned here from a Bermuda vacation.

•

MERVYN LEROY, M-G-M producer-director, has returned to Hollywood from New York.

•

WILLIAM DIETERLE is due here Wednesday from the Coast en route to England.

•

HUNT STROMBERG, United Artists producer, and his wife, are here from Hollywood.

Tradewise . . .

By SHERWIN KANE

ELLIS ARNALL, who once ran the state of Georgia and now, titularly, at least, runs the Society of Independent Motion Picture Producers, made it plain to interviewers in New York last week that he conceives his new job to be primarily one of trust-busting.

He experienced some little success as governor of Georgia in combating the North-South freight rate differentials of what he elects to term the railroad monopolies. Apparently, that measure of success, which, however, did not entirely solve the South's industrial freight rate problem, whetted his appetite for more big game.

At least, he made it appear to his New York press conference that the promise of stalking of monopolies lurking in the motion picture "business" (a term he prefers to "industry" when speaking of film and theatre operations) had much to do with his decision to accept the presidency of SIMPP when it was proffered him.

•

Arnall no doubt is sincere when he says he thinks he can make a contribution to the public and the nation, as well as to motion pictures and SIMPP, by seeking out and attacking monopolies in this "business."

Monopolies, he told the press, defeat free enterprise and encourage Communism by limiting or eliminating individual opportunities to engage in business.

Therefore, he believes, by attacking monopolies he serves the nation. In particular, he said, he serves his 10-year-old son, Alvin, and countless other Alvins throughout the length and breadth of the land, for whom he would preserve the maximum opportunities.

However, Arnall disclosed, he expects Alvin to become President of the United States. That's all right for a Democratic organization man. But how does Arnall suppose a Republican father feels, possessed of the same ambition for his young yet confronted by the Democratic monopoly on that office?

•

Arnall enumerated his activities.

Apart from the presidency of SIMPP, he has an insurance business, his law practice, a factoring business, a lecture series and writing assignments.

But he said he has retired from politics, at least for two more years.

Obviously, he is no novice with the press. He handled himself well in his first interview in New York as president of SIMPP. He established the impression of being an earnest and courageous official, with evident capabilities. He was disarmingly frank, answering all questions with the exception only of those which he readily-admitted he knew nothing about.

Many industry or "film business" leaders are in agreement with his assertion that foreign problems, particularly where they arise at the government level, as in Britain, should be dealt with by the State Department. Left to organization or company officials, as many of the American motion picture's foreign problems have been, of necessity, the party of the second part has the advantage.

•

More, perhaps, will take issue with Arnall on his desire to debate industry monopolies and other problems on the radio. It is doubtful whether any recognized industry authority would join him in such a dubious and futile activity.

Currently, it is the wish of the great majority in the industry that there be less public exposure of soiled linen, rather than more of it. A broadcast of the kind would resolve nothing and, more likely than not, would add to the deterioration of the industry's already battered public relations, to the further injury of the box office.

The microphone and debating rostrum may appeal to the social unfortunates who have no one but A. L. Alexander to go to with their woes, but they are not the places to which one brings industrial complaints. Arnall may or may not be aware that the courts of the land have been giving their attention for the past 10 years to charges of monopoly in the industry. Even now they are on the point of final determination. A radio debate will not hasten the conclusion nor alter the outcome.

If SIMPP has new monopoly complaints, the courts of the land are still open and qualified to determine their merit.

No matter how meritorious the case, neither SIMPP nor anyone else can enforce a judgment handed down by America's Town Meeting of the Air.

Newsreel Parade

THE Chinese sea disaster and Cardinal Spellman playing host to youngsters at a Christmas party are current newsreel highlights. Other items include the UN ending its Paris session, fashions and sports. Complete contents follow:

MOVIETONE NEWS, No. 101—Thousands of lives lost in sinking of Chinese vessel. Endurance fliers refill in California. Air-lift training in Montana. Fog aids to halt Berlin air-lift. Cardinal Spellman host at Christmas party. Foreign diplomats' children send greetings in all languages. Underwater Santa Claus. Small-fry boxing.

NEWS OF THE DAY, No. 231—UN Assembly ends stormy Paris session. Many lives lost in Chinese ship disaster. Baby gorilla enjoys mob in zoo life. Deep-sea Santa. Battling bamhinos make leather fly. Holiday greetings from embassy children.

PARAMOUNT NEWS, No. 34 — Kid boxers. New gorilla makes debut. Chinese ship disaster. UN ends Paris session. Charity at Yuletide.

UNIVERSAL NEWSREEL No. 205—UN adjourns Paris session. Thousands lose lives in Chinese ship disaster. Return of Palestine prisoners. Baby gorilla. Boxing kiddies. Cardinal Spellman host at children's party. Embassy youngsters' greetings.

WARNER PATHE NEWS No. 36—UN closing. Pan American trouble. Chinese ship disaster. Endurance fliers. Kiddies and Christmas. Color fashions. Great Americans: George Washington crossing the Delaware.

N. J. Allied to Meet Today on Complaints

Allied Theatre Owners of New Jersey will hold a general membership meeting here today to discuss a number of complaints against distributors which have accumulated within the organization since it adopted the so-called Smith-Berger conciliation committee plan, under which only differences existing between 20th Century-Fox, whose general sales manager is Andy W. Smith, Jr., co-drafter, and exhibitors are subject to conciliation. Hence, today's discussions will center around complaints against companies other than 20th-Fox.

North Central Allied's Benjamin Berger shares credit with Smith for drafting the plan for handling complaints through an organization committee.

Award Ceremonies At Warner Studio

HOLLYWOOD, Dec. 19.—The board of directors of the Academy of Motion Picture Arts and Sciences has accepted Jack Warner's long-standing offer to use the Warner studio sound stages for the ceremonies in connection with the annual Academy Awards on March 24.

Schwartz Hosts Aides

Following a custom of inviting managers of Century Circuit to be his guests at his lodge in Lake Placid, Century executive Fred J. Schwartz currently is host to theatre managers Charles Call of the Bliss, Richard Tretler of the Huntington, Fred Brunelle of the Queens, William McDevitt of the Valley Stream, L. McEachern of the Kingsway, and district manager William Applegate.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urhen Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

Sopeg Seeks a $30 Minimum at RKO

CIO's Screen Office and Professional Employes Guild, which is awaiting from the National Labor Relations Board certification of the guild's recent compliance with the non-Communist affidavit provisions of the Taft-Hartley Law, has drafted minimum wage demands of $30 per week for messengers and $35 for clerks which it will submit to RKO Radio for inclusion in a new contract, it is revealed by Sidney Young, SOPEG president. Minimums are now $25 and $27, respectively. SOPEG, in a recent shop election, defeated its rival, AFL's IATSE Motion Picture Home Office Employes Local No. H-63, and recaptured the RKO Radio shop. General wage raises also will be sought at RKO Radio, Young said.

The NLRB here, meanwhile, has set tomorrow for another meeting with SOPEG and H-63 officials and Columbia representatives to settle the question of which Columbia "white collarites" will be eligible to participate in a proposed consent election at that company.

Exchange Negotiations Continue

The distributors' labor relations committee and IATSE representatives met here again at the weekend to confer in connection with current negotiations on a new contract for 6,300 exchange workers in 32 exchange centers.

Columbia Branches Grouped for Drive

Columbia's 31 branches have been divided into six groups for the current playdates and liquidation drive, by Rube Jackter, drive chairman.

Make-up of the groups follows: Group one: New York, Los Angeles, Boston, Philadelphia, San Francisco; group two: Chicago, Atlanta, Washington, Dallas, Detroit; group three: Cincinnati, Cleveland, Pittsburgh, Charlotte, St. Louis; group four: Minneapolis, Indianapolis, Kansas City, Seattle, New Orleans; group five: Denver, Milwaukee, Buffalo, Oklahoma City, New Haven; group six: Memphis, Des Moines, Salt Lake City, Albany, Portland, Omaha.

L. A., Phila., N. O., 'Joan' Openings Set

Sierra Pictures' "Joan of Arc," which is now playing its sixth week at the Victoria in New York, will open Wednesday in Los Angeles, New Orleans and Philadelphia, it was announced here at the weekend by RKO Radio, which is distributing the Walter Wanger production.

Picture is scheduled to open at Miami Beach and Palm Beach on Jan. 12.

Heads Pictorial Films

George J. Bonwick, associated with various Robert R. Young enterprises since 1930 in securities, railroads and motion pictures, has been elected president of Pictorial Films, wholly-owned subsidiary of Pathe Industries and distributor of Eagle-Lion product in 16mm. Previously executive vice-president of Pictorial Films, Bonwick has held similar posts with Producers Releasing Corp., Pathe Laboratories and Pathe Film Corp.

Reviews

"Angel On the Amazon"

(Republic)

GEORGE BRENT, Vera Ralston, Brian Aherne and Constance Bennett are the names for sale in this Republic picture, which is built around love, jungle adventure and pseudo-science. "Angel on the Amazon" has additional assets, namely, tasteful and sometimes opulent production values, a broad canvas of events, and at least one highly exploitable jungle sequence wherein animal violence and human courage and fear intermingle to produce explosive consequences. Proper capitalizing on these assets by exhibitors should mean commensurably satisfying business.

However, logic and conviction are totally lacking in the script from which associate producer-director John H. Auer worked. As events unfold it becomes increasingly difficult to reconcile separate happenings as the paths of jungle huntress Ralston and war ace Brent cross and recross in the Amazon wilderness, in ultra-modern South American settings, in California.

He loves her deeply and cannot understand why she so astutely resists his attentions. Ultimately the reason is bared as the many loose story threads are gathered by the elderly and dignified Aherne, physician Bennett, and retired explorer Fortunio Bonanova. Seems that Brent has been in love with a wife and mother, not an unmarried daughter as he supposed. The shock of her daughter's death many years previous had kept her from aging in appearance (*sic*) and another shock toward the end of the picture converts her appearance overnight into that of an elderly matron. None of the principal roles are acted with more than passable enthusiasm. Lawrence Kimble fashioned the screenplay from a story by Earl Felton.

Running time, 86 minutes. General audience classification. November release.

CHARLES L. FRANKE

"Siren of Atlantis"

(Nebenzal—United Artists)

IN an excursion into fantasy, "Siren of Atlantis" takes one into the lost continent of Atlantis, located somewhere in the wastes of the Sahara Desert. Atlantis is ruled by a beautiful queen who has a passion for toying with men's hearts only to destroy them eventually. The story mixes fable, outdoor adventure and melodramatics. The cast, headed by Maria Montez, Jean Pierre Aumont and Dennis O'Keefe, is a good one, but it is frequently burdened by an uninspired tale.

One night, while on an expedition in the desert, Foreign Legion officers Aumont and O'Keefe are captured by a band of masked warriors. They are bound and taken through a series of mountain passages to the marble palace where Miss Montez reigns. This exotically clad queen enjoys a snarling black panther as a pet. She also likes to play chess with her victims, but once she tires of them, she has her favorite mortician preserve their remains in gold. To outline the developments briefly, Aumont falls in love with this sadistic siren. But the queen tires of him and he suspects that it is because she has fallen in love with O'Keefe. Aumont thus kills O'Keefe and escapes.

Aumont relates his tale before a military board of inquiry. Of course the board does not believe him and he eventually perishes in a sandstorm as he heads back to Atlantis. Seymour Nebenzal produced and Gregg G. Tallas directed, from a screenplay by Rowland Leigh and Robert Lax.

Running time, 75 minutes. Adult audience classification. For December release.

MANDEL HERBSTMAN

Popcorn Cost Will Be Unchanged in 1949

CHICAGO, Dec. 19.—Over 500 popcorn merchants and dealers attended the national Popcorn Manufacturers convention which has adjourned after a week at the Hotel Sherman here. Improved merchandising methods which will give greater eye appeal in theatre displays were planned. Cost of popcorn for the coming year, it was estimated, will be at the same market price as this year.

The following were elected new NPMA officers: Harry McNamara, president; William Peche, Jr., vice-president; W. W. Hawkins, treasurer.

Frank Engages Buchanan

W. R. Frank, producer, has appointed Buchanan and Co. to handle the advertising campaign for "The Great Dan Patch," which will be released through United Artists, with magazine, newspaper and radio advertisements being prepared by the agency's East and West Coast offices.

AMPA Christmas Affair

Associated Motion Picture Advertisers will hold its annual Christmas luncheon on Thursday in the Brass Rail Restaurant here, it is announced by Max Youngstein, president.

Gilmour Reelected Head of Gibraltar

DENVER, Dec. 19.—Charles R. Gilmour was reelected president and general manager of Gibraltar Theatres by the board of directors at their annual meeting here.

E. J. Schulte, Casper, Wyo., and E. W. Ward, Silver City, N. M., were named vice-presidents; T. F. Murphy, Eaton, N. M., chairman of the board; E. John Greer, Santa Fe, N. M., treasurer, and William H. Ostenberg, Jr., Scottsbluff, Neb., secretary. The company operates about 45 theatres owned by those named herein, all in the Denver territory.

The company has decided to build three drive-ins in 1949, along with other new theatres and an ambitious remodeling program.

National To Handle Product for Herald

National Film Distributors will handle physical distribution for Herald Pictures, it is announced here by Jack Goldberg, Herald founder and executive producer. At the same time, Goldberg said his company plans to start production on its fourth feature in January. A series of animated shorts is now in production in Miami for Herald.

New Talent Urged By Maxwell Shane

Effectiveness of new faces in lending a greater depth of reality to pictures was stressed by Maxwell Shane, producer-director-writer, in an interview at the Universal-International home office at the weekend. Shane is here from the Coast to view stage and television acts for potential players for his next film, "Sing Your Way Out."

The ticket-buying public wants pictures that are "realistic and artistically true," he said, and one way to achieve this is to get fresh faces on the screen. Exhibitors, too, Shane stated, have been persistently demanding "somebody new."

Shane said exploitation is a major factor in the success of any picture, emphasizing this point by declaring that an otherwise good box-office picture could easily fail because of poor exploitation.

NBC Claims Wider Television Coverage

A newly-developed method of extending television coverage by reducing interference between stations on the same channel is being used on a full-time basis between the New York and Washington television stations of National Broadcasting, it is disclosed by David Sarnoff, chairman of the board of NBC.

The method, known as television-carrier synchronization, has been in regular operation for about 10 days, employing facilities at the RCA Laboratories at Princeton, N. J., according to Sarnoff.

"The immediate effect of these operations has been to extend interference-free service to thousands of additional viewing families in the 'fringe', or outlying service areas, of stations WNBT, New York, and WNBW, Washington," he added.

Raibourn Says FCC Rule Is Preliminary

Federal Communications Commission's announced proposed decision limiting Paramount's and DuMont's combined holdings to five television stations was only a preliminary step, according to Paul Raibourn, Paramount vice-president in charge of television.

Raibourn said: "The proposed decision of the FCC constitutes only a preliminary step in the final determination of the question of station ownerships, insofar as Paramount is concerned."

FCC last Thursday said that because Paramount controls DuMont, neither of the two companies would be allowed to have any new stations.

Theatre Memorial For 'Bob' Benchley

BOSTON, Dec. 19.—Plans to raise $100,000 to establish a theatre in memory of the late Robert (Bob) Benchley, humorist, critic and actor, at Phillips Exeter Academy, have been announced here. Benchley was graduated from the Academy in 1908. Donald Oenslager is East Coast chairman of the fund-raising committee, which will have headquarters in New York. Mike Romanoff heads the West Coast committee.

Phillips Exeter officials said the theatre, to seat 1,200, will be used for plays, films and general assemblies.

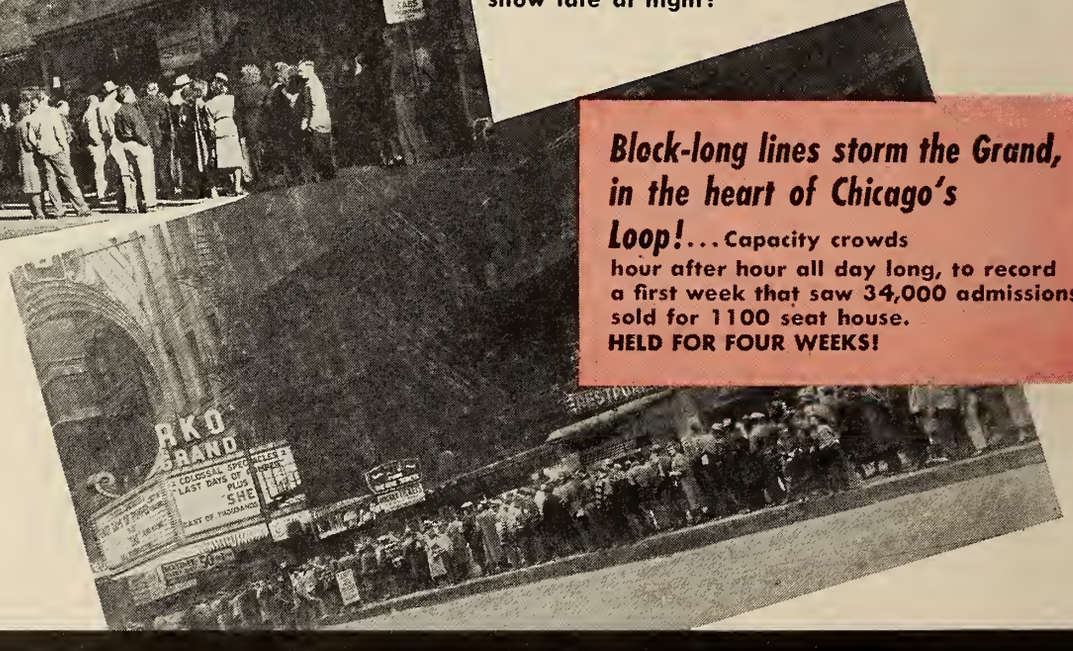
WHERE DO THE CRO



Near All-Time Record For the Palace, New York!... 1400 seats main floor, and balcony — 39,000 admissions first week, as pressing crowds made it necessary to open gallery over weekends. **HELD FOR FIVE WEEKS!**



Two Top Weeks For The Boston, Boston... with eager boxoffice lines stretching 'way around the corner from first show early in morning to last show late at night!



Block-long lines storm the Grand, in the heart of Chicago's Loop!... Capacity crowds hour after hour all day long, to record a first week that saw 34,000 admissions sold for 1100 seat house. **HELD FOR FOUR WEEKS!**

"THE LAST DAYS OF PO

Both **MERIAN C. COOPER PRODUCTION**

WDS COME FROM?

A great, big, sensational box-office bonanza has dropped right out of the sky into the lap of a show business reeling with amazement at the figures being rolled up!

. . . It's RKO's astounding double-header spectacle and action show—a combination bill that *OUTGROSSED TOP FIRST-RUN PICTURES ON BROADWAY, IN THE LOOP AND DOWNTOWN BOSTON!*

So sensational are the returns that "The Showmanship Company" is turning its staff upside down to get it to you in a hurry!...

Contact your nearest RKO Exchange for availability of the biggest quick-money chance you've had in recent show history!

Flash ads like this helped do the job! . . . You get new prints . . . new COMBINATION accessories, including spectacular posters, exciting newspaper ads and colorful lobby displays!



Re-Released by
RKO RADIO PICTURES, INC.

MPEII" and H. RIDER HAGGARD'S "SHE"

WRITING NEW BOXOFFICE HISTORY!

Para. Case Today

(*Continued from page* 1)

is designed to shorten actual hearing time in court.

During the interim, counsel for both sides failed to reach any accord on partnership dissolutions. That they should endeavor to iron out as many issues on joint ownerships as possible was suggested by Judge Hand at the close of the November session. That no positive results were achieved stemmed in part at least from the fact the companies felt they could not give up some holdings without knowledge of the extent of their legal ownerships when the case is ultimately decided.

Documentary evidence to be entered today is designed to support the defense contention that theatre partners in various instances are not in themselves potential exhibitors, but instead are interested in exhibition solely as investors, or joined in operations with Paramount as a result of the company's bankruptcy proceedings.

Affidavits also will aim to show that "reforms" in distribution practices adopted since the summer of 1946 when the New York court handed down its first opinion have rendered unnecessary any new restraints on the manner of licensing product.

The six-week period also was marked by numerous exploratory meetings in New York and Washington on consent decrees, out of which nothing has materialized. Settlement out of court continues as a possibility.

Either Paramount or 20th Century-Fox will lead off in court today. A. C. Bickford of the law firm of Simpson, Thacher and Bartlett will appear for Paramount along with Louis Phillips of the home office. Whitney North Seymour, who previously served as trial counsel for that company, is now engaged in a Coast case in behalf of American Can Co.

Phila. Theatre Robbed

PHILADELPHIA, Dec. 19. — Robert Suits, manager of the Overbrook Theatre, was held up and robbed as he was about to deposit the day's receipts in the night box of the City's National Bank. The police later picked up two youths who admitted the crime.

Gowthorpe Gets A Dual Farewell

With M-G-M sales head William F. Rodgers' trade press luncheon on Friday booked into a Hotel Astor room adjoining that in which Paramount was giving a farewell luncheon to M. F. Gowthorpe, who is leaving to head Butterfield Theatres in Michigan, guests of both kept getting into the wrong parties.

At one point, Metro pictures were being touted to Paramount men and Gowthorpe was being bid adieu by M-G-M and trade press editors. But eventually everyone ate at the right table.

Siegel, Markley

(*Continued from page* 1)

thorpe and Markley has handled legal assignments for Paramount's theatre interests.

Some 60 Paramount executives and theatre partners paid tribute to Gowthorpe on the occasion of his leaving the company at a Hotel Astor luncheon on Friday.

Leonard Goldenson, vice-president in charge of theatres for Paramount, was toastmaster, and brief addresses were given by Barney Balaban, Adolph Zukor, E. V. Richards, Jr., and Robert O'Donnell, the latter two both Paramount partners.

Gowthorpe was the recipient of an elaborate solid silver set and a testimonial book signed by all persons present.

Gamble

(*Continued from page* 1)

Owners of America, of which Gamble is board chairman, has been named general manager and special counsel for Gamble Enterprises, with headquarters in New York.

Earlier reports linking Gamble with the projected purchase of 16 W. R. Frank theatres in Minnesota were officially minimized here but Gamble could not be reached for comment.

Film Dividends

(*Continued from page* 1)

company dividends this year will be somewhere between 15 and 25 per cent below the 1947 record—depending on how much is paid out in December.

Film companies reported cash dividends of $224,000 in November, compared with $217,000 last year. This was only the second month where 1948 was ahead of 1947, and in the other month, too, the total amounts involved were small. In February, this year, payments totaled $226,000, against $217,000 in February, 1947. In all of the other months, 1948 ran behind.

The November figures brought the 11-month 1948 total to $37,214,000, compared with $48,682,000 last year and $35,874,000 in 1946. In 1947 film companies paid out $7,959,000 in December, and in 1946 they paid out a whopping $10,840,000 in the last month. The way dividends have been running this year, it is hard to see how the December, 1948 figures will match either 1947 or 1946.

Bresler - Israel

(*Continued from page* 1)

tive is Baruch Diener, Israeli film writer, critic and broadcaster.

Ground will be broken next month for the $800,000 studio and laboratory at Hersliya, first to be established in Israel, he said in revealing that Henry Blankfort, Hollywood writer, will leave tomorrow for Israel to gather material for a picture he expects to make there when the studio is ready, about the mid-year. Blankfort is one of 35 Hollywoodites active on an advisory committee to the Israel-American company.

Diener also said the company's pictures will be filmed in English on a cooperative basis, with all talent deferring salaries against future profits, and will be strictly entertainment subjects designed for world exhibition.

New Supply Branch

OMAHA, Dec. 19.—Western Theatre Supply will open a branch in Des Moines this month, with Herbert Loeffler, who has been associated with National Theatre Supply in that city for 12 years, in charge.

M-G-M Plans

(*Continued from page* 1)

customers to play even a greater number of our pictures on this proven method of fair merchandising.

"We have not adopted a policy of specific percentage terms except where we are unable to mutually agree upon a basis to govern a sliding scale arrangement. Loew's has not changed its sales policies except that we are prepared even to exceed, if necessary, our existing policy in special consideration for some small operations where it is found to be difficult and sometimes impractical to play our pictures at the present time on a participating arrangement."

Rodgers expressed confidence in the calibre of product forthcoming from the studio, asserting that no economy measures will be adopted which will impair the quality of the company's pictures.

Loew's will celebrate its 25th anniversary next year with appropriate advertising and exploitation campaigns. A feature of the anniversary observance, Rodgers said, will be a year-long effort to sell to new customers.

In reply to a question, Rodgers said it is Loew's continuing aim to adjust costs and income so that the company will be able to show a profit on domestic business alone. He said it is difficult at this time to say without qualification that the objective can be realized.

"Business is very unsettled right now," he added. "Some first-runs are seriously off while subsequent runs are doing very well. From time to time that order is reversed and, again, a picture will come along that will do as well or better all along the line than our best pictures of earlier years."

Rodgers left for Miami on Saturday for a brief vacation and plans to visit the Culver City studio late in January.

Cole Suit

(*Continued from page* 1)

sion negate their right to suspend him.

While the judge could reverse the jury verdict, it is not believed likely in this case. In view of what is expected to be ruling favorable to Cole an attorney for M-G-M indicated the company would probably appeal.

Plan Cambridge Drive-in

BOSTON, Dec. 19.—Construction of an eight-acre drive-in theatre in Cambridge by Loew-Lasky Corp. of Boston is expected to get under way when zoning laws are changed from a residential to a business district. The theatre is expected to cost $300,000.

Warn on Stage Shows

TORONTO, Dec. 19. — Exhibitors in Ontario have been warned by the Ontario censor board that licenses for theatres showing film programs do not permit them to give stage shows. Stage shows, which require special permits, have been on the increase.

Cowan Buys Two More

TORONTO, Dec. 19. — A. C. Cowan, who reportedly has been associated with Canadian Odeon in theatre deals, has acquired two more drive-ins in Ontario, the Sunset units at Brantseven other drive-ins.



Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 74. NO. 119 NEW YORK, U.S.A., TUESDAY, DECEMBER 21, 1948 TEN CENTS

MOTION PICTURE ASSOC. OF AMERICA, INC. (CHAMBERS)
28 WEST 44TH ST.,
NEW YORK 18,
N. Y.

20th-Fox Agreement to Break with 28 Partners

U. S. Approves Plan Involving 251 Theatres; Paramount Ready to End Joint Ownerships, Leaving It 600 Houses

Positive divestiture came into clear focus in New York Federal Court yesterday with the announcement by 20th Century-Fox that it had reached an agreement with the Attorney General on the dissolution of 28 partnership companies which operate 251 theatres and with the disclosure by Paramount that it is "prepared to terminate" joint ownerships to the extent that the company's holdings would consist of about 600 wholly-owned theatres.

The 20th-Fox pact with the government was presented in the form of an order for signature by the three Federal jurists presiding at the hearing. The terms of dissolution would be effected within one year of entry of the order and it "shall be without prejudice to further orders as may be entered in the case." Twentieth-Fox and its wholly-owned subsidiary, National Theatres, may still be required to divest themselves of other properties.

Twentieth-Fox has its choice of selling or otherwise disposing of its stock interests in the 28 companies or dissolving the companies by way of dividing the assets in accordance with the amount of stock 20th and the partner hold.

Paramount attorney A. C. Bickford told the court that it also would have varying ways of dissolutions and asked a "reasonable amount of time" to present a specific plan for the program. Both Paramount and 20th-Fox must obtain court approval of any method of dissolution.

Bickford suggested that Paramount

(*Continued on page 4*)

Percent Suits May Result in US Tax Probe

To Alert Revenue Men On Film Rental Claims

By J. A. OTTEN

WASHINGTON, Dec. 20. — The Bureau of Internal Revenue might soon order all local collectors to investigate film rental percentage suits filed in Federal courts by distributors against exhibitors as possible leads for claims for tax deficiencies, a top official of the Bureau has disclosed.

The official said that local collectors are supposed to watch local papers for tips such as these suits would afford and they usually do. But, he continued, "if the suits are becoming so widespread, it might be worth while to alert the local collectors to make sure they do not overlook them."

He said the Bureau had no way of knowing whether any local collectors had already started such investigations or if so, how many were under way. He pointed out that exhibitors usually are "very circumspect in pay-

(*Continued on page 2*)

See Industry Meeting Delayed or Scrapped

Hollywood, Dec. 20.—The top-level industry meeting on Jan. 26-28 in Hollywood will probably be postponed again, and may even be scrapped entirely, a top industry source revealed today.

The meeting has been postponed several times. New York executives are understood to have gone cold on the plan, and in all probability will set the dates back, finally permitting the proposal to die.

Conciliation Group Named for Tri-states

MEMPHIS, Dec. 20.—The conciliation committee of the Tri-State Theatre Owners Association, set up to handle grievances of theatre owners against distributors to prevent litigation was named today by Max Connett, secretary-treasurer of the Association, acting as co-ordinator of the committee, which has members from three states, as follows:

Arkansas, Gordon Hutchins and Emma Cox, and O. W. McCutchin, alternates. Mississippi, R. B. Cox and Leon Rountree, and T. M. Jourdon, alternates. Tennessee, Louis Mask, and Steve Stein and N. S. Reiss, alternates.

Albany TOA Warns Of New Taxation

ALBANY, N. Y., Dec. 20.—The local Theatre Owners Association, cooperating on watching adverse legislation with theatre organizations of Buffalo and New York areas, has alerted exhibitors on proposals for new local taxes, citing the recent adoption by Binghamton of a five per cent sales tax, which includes theatre admissions. Buffalo and Syracuse already have sales taxes, voted under the enabling act of the 1947 legislature, despite theatre opposition.

TOA said, "With a constant demand for increased budgets reported from all communities in the state, there can be little doubt that pressure will be exerted from other quarters to use provisions of this law to find addition- to divest other properties."

UA to End 8 Partnerships

HOLLYWOOD, Dec. 20.—United Artists Theatre Circuit, Inc., shortly will launch discussions with Loew's and Paramount looking toward dissolution of its eight theatre partnerships in Baltimore, Columbus, Pittsburgh and New York. Joseph M. Schenck, who will leave here Thursday for Miami to spend the holidays with his brother, Nicholas M., thereafter will proceed to New York for this purpose on behalf of UA Theatres.

Involved are partnerships with Loew's in four houses in Baltimore, two in Columbus and one in Pittsburgh. In New York, it is the Rivoli in which Paramount is a partner. The dissolutions are mandatory under the Supreme Court decision in the government's case against the industry.

B'way First Runs Are Snowed Under

Sunday's heavy snowfall lent emphasis to the current expected preholiday slump at New York's first-runs. The rule this week is low business, but there are a few exceptions. Meanwhile, there is high anticipation generally of a big upsurge during Christmas week, when eight new pictures will open.

Still out front is "Words and Music" at Radio City Music Hall, where a holiday stage presentation is also on the bill. Although the Hall's management reports the snowfall hit business, some $88,000 was taken in Thursday through Sunday, and a towering $145,000 is expected for the second week.

At the Paramount, meanwhile, "The

(*Continued on page 4*)

Top 'U' Executives Take Salary Cuts

Approximately a dozen top Universal executives have voluntarily agreed to take sizable salary cuts during 1949 in the company's over-all endeavors to bring corporate costs more closely into line with anticipated income, home office officials confirmed here yesterday.

The top executives of Universal this year will receive approximately 40 per cent less than last year, without salary cuts, inasmuch as their agreements call for profit participations, none of

(*Continued on page 2*)

Cole's Salary Is Restored in Full

HOLLYWOOD, Dec. 20.—M-G-M must pay Lester Cole's $1,350 weekly salary until expiration of his contract in November of next year, and 56 weeks back pay covering the period since he was suspended following the House Un-American Activities Committee hearings, Federal Judge Leon Yankwich ruled today in conforming with

(*Continued on page 2*)

Schine Hearing Is Now Set for Jan. 10

Buffalo, Dec. 20. — Schine Circuit and government counsel held an off-record confab in Judge Knight's chambers this morning, and while no clerk was on duty to record proceedings it was learned that the case has been postponed again, this time until Jan. 10. An order to that effect will be filed in a couple of days.

Apparently there is an agreement between Schine and the government to set a date for submission of additional evidence.

Personal Mention

HAROLD MIRISCH, Allied Artists vice-president, has returned to Hollywood from New York.

•

WILLIAM BANKS LEVY, general sales manager of Walt Disney Productions, and MRS. LEVY have left New York for Panama where they will spend the holidays.

•

MANNY REINER, Selznick Releasing Organization South and Latin America sales manager, is here from the Coast for an indefinite stay.

•

LEE KOKEN, RKO division manager in charge of vending operations, has returned to New York from Chicago and Milwaukee.

•

HOWARD STRICKLING, M-G-M studio publicity director, is due back on the Coast tomorrow from New York.

•

BILL BLOWITZ, Enterprise publicity director, plans to leave here today by plane for the Coast.

•

JEAN COCTEAU, French writer-actor producer, is due here Saturday by plane from Paris.

•

BOB ROBERTS, producer, is here from the Coast.

Fee in Berger-Ascap Case Is Attacked

MINNEAPOLIS, Dec. 20.—Federal Judge Nordbye has taken under advisement the petition of attorneys Louis Schwartz and Samuel Halpern asking the court to fix a $15,000 fee to be assessed Ascap in the latter's unsuccessful copyright infringement suit against Benjamin Berger, et al. Ascap counsel Louis Frohlich and Thomas Vennum opposed the petition contending the amount sought was excessive, with Frohlich suggesting that the fee be limited to $2,500.

Frohlich contended Schwartz and Halpern "did not accomplish as much for their clients as they think" and in a veiled threat warned the court Ascap members could withhold their product from motion pictures, implying such action "might well close all motion picture theatres."

Waller, Reeve Appointed

Tom Waller, director of information at the New York office of the Motion Picture Association of America, and Arch Reeve of the MPAA Hollywood office, have been named East Coast and West Coast coordinators, respectively, of the industry's Film Project Committee for the all-industry film series.

'Parade' Cites Lachman

The Jan. 2 issue of *Parade Magazine* will feature an article about Edward Lachman, president of Allied Theatre Owners of New Jersey. Lachman, Boonton, N. J., theatre-owner, is cited as "a typical small-town exhibitor."

Directors to Ask For Pay Increases

HOLLYWOOD, Dec. 20.—Upsetting the pattern of recent studio-union contract negotiations, in which labor groups refrained from asking for wage increases, the Screen Directors Guild will ask for increased minimums when it meets with a joint committee of the Association of Motion Picture Producers and the Society of Independent Motion Picture Producers about mid-February. The SDG over the weekend notified the studios it wishes to reopen its contract on which a partial agreement was reached last July, with a view to adjusting minimums upward and ironing out details in working conditions. Guild asserts it has not shared generally-granted increases which, it says, have amounted to 100 per cent in the past 10 years, having participated only in a 25 per cent increase given all unions in 1946. A Guild spokesman said the purpose of new negotiations is to bring directors' salary schedules into alignment with others.

Percentage Suits

(*Continued from page* 1)

ing the right taxes. They think a good bit longer about paying Uncle Sam."

Another official said that in two cases he knew of where local collectors had checked the tax returns of exhibitors involved in percentage suits, they found that the correct taxes were paid even though rental returns were allegedly understated to distributors.

However, the Internal Revenue Bureau has a claim pending in U. S. Tax Court in Cleveland against Manos Amusements for $73,000 for alleged tax deficiencies and penalties, basing its claim on distributor suits over percentage payments.

Revenue officials emphasize that the percentage suits fall entirely in the jurisdiction of local districts.

C. Aubrey Smith, 85; Was Screen Veteran

BEVERLY HILLS, Dec. 20.—C. Aubrey Smith, British actor, died at his home here today at 85. He began in London in 1892. His screen debut was made in New York in 1915. Active until his death, he only recently finished "Little Women."

He is survived by the widow, Mrs. Isabel Mary Smith; a daughter, Mrs. Honor Cobb, and two grandchildren. Cremation services will be private. Special memorial services will be held Dec. 28 at the All Saints Episcopal Church, Beverly Hills.

Cole Salary

(*Continued from page* 1)

recommendations made last Friday by a jury which heard the case in an advisory capacity.

Court retained jurisdiction "to protect Cole's rights" and gave M-G-M 20 days in which to file an appeal. An M-G-M spokesman said a decision whether to appeal will await conferences of studio executives.

Rank, Others Named In 'U' Stock Action

Universal and "U" directors N. J. Blumberg, J. Arthur Rank, Matthew Fox, J. Cheever Cowdin, D. M. Schaeffer, William German and Otavio Prochet were named defendants in a stockholder's action filed here yesterday in U. S. District Court. Plaintiff is minority stockholder Florence R. Long.

Suit was filed to recover for Universal sums allegedly made by Blumberg, Cowdin, Fox and four non-defendant directors in 1944 stock transactions involving a U. S. government-signed waiver of personal taxes in favor of capital gains taxes. Plaintiff charges that Universal suffered a $700,000 loss under the waiver which, it is alleged, enabled the seven to make $1,200,000 under the transaction. An accounting of profits is sought.

'U' Executives

(*Continued from page* 1)

which will be payable this year with Universal facing an estimated $4,000,000 loss for its fiscal year ended last Nov. 1.

The voluntary salary cuts were agreed upon last August and originally were intended to become operative with the beginning of the current fiscal year but subsequently were postponed until Jan. 1. They are not uniform but vary from an estimated 20 to 40 per cent.

Among those taking the cuts are: J. Cheever Cowdin, Nate J. Blumberg, Charles D. Prutzman, W. A. Scully, J. H. Seidelman, Leo Spitz, William Goetz, J. J. O'Connor, Matthew Fox, Samuel Machnovitch, and others.

At the recent New York meetings of company presidents conducted by Eric Johnston a proposal was made that all top company executives take voluntary salary cuts to help bring the companies' cost problems under control. At that time Blumberg surprised the meeting in advising it that Universal already had taken such action.

Crown Is Elected Goldwyn Vice-Pres.

Alfred Crown, foreign sales manager of Samuel Goldwyn Productions, has been elected a vice-president of the company.

Before joining the Goldwyn organization thre years ago, Crown was in the Armed Services for two years, previous to which he was with the Co-ordinator of International Affairs (the so-called Nelson Rockefeller Committee.) Crown will continue to make his headquarters in New York.

Doughney Rites Today

Funeral mass for Joseph J. Doughney, 56, an executive in the general budgets and statistics department of Paramount here, will be sung this morning at 10 o'clock at St. Angela's Catholic Church, Bronx, with interment in Gate of Heaven Cemetery. Doughney died Friday night following a heart attack at his home. In addition to the widow, Mrs. Grace McDonald Doughney, survivors include four children.

B'nai B'rith Meeting

New York's Cinema Lodge of B'nai B'rith will feature a "B'nai B'rith Hillel Foundation" evening at the Hotel Astor tonight with Rabbi Arthur Lelyveld, national director of Hillel, being the principal speaker. S. Arthur Glixon is president of the Lodge.

RADIO CITY MUSIC HALL
Rockefeller Center
"WORDS AND MUSIC"
JUNE ALLYSON • PERRY COMO
JUDY GARLAND • LENA HORNE
GENE KELLY • MICKEY ROONEY
ANN SOTHERN
Color by TECHNICOLOR
A Metro-Goldwyn-Mayer Picture
THE GREAT CHRISTMAS STAGE SHOW

DARRYL F. ZANUCK presents
OLIVIA de HAVILLAND
the Snake Pit
Directed by ANATOLE LITVAK • Produced by ANATOLE LITVAK & ROBERT BASSLER
20th CENTURY FOX
RIVOLI B'way & 49th Street

The Paleface
Color by Technicolor
starring Bob HOPE Jane RUSSELL
A Paramount Picture
PARAMOUNT TIMES SQUARE
IN PERSON BENNY GOODMAN And His Orchestra featuring BUDDY GREGO plus PEIRO BROS BUDDY LESTER
MIDNIGHT FEATURE NIGHTLY

SAMUEL GOLDWYN presents
DANNY KAYE + VIRGINIA MAYO
A SONG IS BORN
COLOR BY TECHNICOLOR
Broadway at 45th Street ASTOR
Cont. from 8:45 AM Midnight Show

J. Arthur Rank presents
"THE RED SHOES"
Color by Technicolor
BIJOU THEATER, 45th Street West of Broadway
All Seats Reserved, Mail Orders
Twice Daily
Extra Matinees Saturday and Sunday
Late Show Saturday Evening 11:30
An EAGLE LION FILM Release

TOO BIG FOR ONE THEATRE
JOAN OF ARC
starring INGRID BERGMAN
A VICTOR FLEMING PRODUCTION
COLOR BY TECHNICOLOR
CAST OF THOUSANDS with JOSE FERRER
FRANCIS L. SULLIVAN • J. CARROL NAISH
WARD BOND • SHEPPERD STRUDWICK • HURD HATFIELD • GENE LOCKHART • JOHN EMERY
GEORGE COULOURIS • JOHN IRELAND and CECIL KELLAWAY • based upon the stage play 'Joan of Lorraine' by MAXWELL ANDERSON
Screen Play by MAXWELL ANDERSON and ANDREW SOLT • Art Direction by RICHARD DAY
Director of Photography, JOSEPH VALENTINE, A.S.C.
Produced by WALTER WANGER
Directed by VICTOR FLEMING
presented by SIERRA PICTURES, Inc.
released by RKO RADIO PICTURES
CONTINUOUS AT THE VICTORIA B'WAY at 46th ST. 7 SHOWS DAILY
RESERVED SEATS AT THE FULTON 46th ST. W. of B'WAY MATS. $1.80 EVES. $2.40

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary, James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

CHRISTMAS SOCK!



SOCK!

The Biggest Musical is sensational at Radio City Music Hall. From the company that gives the industry its top musicals now comes a new bonanza to ring in a bright New Year across the nation!

"WORDS AND MUSIC"

STARRING *(alphabetically)*

JUNE ALLYSON · PERRY COMO
JUDY GARLAND · LENA HORNE
GENE KELLY · MICKEY ROONEY
ANN SOTHERN

with TOM DRAKE · CYD CHARISSE · BETTY GARRETT · JANET LEIGH
MARSHALL THOMPSON · MEL TORME · VERA-ELLEN

Color by TECHNICOLOR
Based on the Lives and Music of
RICHARD RODGERS and LORENZ HART
Screen Play by Fred Finklehoffe • Story by Guy Bolton and Jean Holloway • Adaptation by Ben Feiner, Jr.
Musical Numbers Directed by ROBERT ALTON
Directed by NORMAN TAUROG
Produced by ARTHUR FREED
A Metro-Goldwyn-Mayer Picture

20th-Fox Agrees

(*Continued from page* 1)

would split theatre properties with the partners, for the most part, but only where the division would serve to free competition. Thus, Bickford said, it is possible that Paramount might emerge with 250 of the 500 theatres which the government has cited as being in joint operations.

He told the court that the company intends to sell its 33 1/3 per cent interest in Butterfield Michigan Theatre Co. and its 25.8 per cent in W. S. Butterfield Theatres, Inc. He also informed the court that Paramount lost 106 theatres in the last two years through termination of leases, discontinuance of operating agreements and stock sales.

The list of partnerships which Paramount is "prepared to terminate" was given to the court in the form of a weighty volume of exhibits which also showed the houses which it lost.

Paramount listed these as the companies which will be dissolved, also indicating the amount of stock it holds in each:

Arkansas Amusement, 50 per cent; Birmingham Theatres Operating Corp., 60 per cent; Central States Theatres, 50 per cent; Jefferson Amusement, 57 per cent; Malco Theatres, 50 per cent; Publix Netoco Theatres Corp., 50 per cent; Texas Consolidated, 50 per cent. These along with numerous other smaller companies are involved in the operation of about 500 theatres.

The relationship of Paramount with E. V. Richards, Jr., in the operation of Paramount Richards Theatres, Inc., was said by Paramount to be the "fortuitous result of bankruptcy." This was taken to mean that the joint operation should not be regarded as contrary to the U. S. Supreme Court's opinion which held partnerships illegal where the partner himself is a potential exhibitor. However, there was no elaboration by the film company. Paramount has interests of 50 per cent in the Richards circuit.

Paramount also listed theatres "owned jointly with investors," among them Maine & New Hampshire Theatres Co. in which it owns 50 per cent. At one point in his address to the court, Bickford, in briefly mentioning Richards, said that the company has "valuable options and perhaps could buy under court control."

Under its agreement with the government, 20th-Fox must, within one year of entry of the order, either sell its holdings in jointly-operated companies to any person or corporation not affiliated with other defendants or divide the assets.

These companies are to be dissolved in either of those two ways: Rubidoux Theatres Corp.; Sacramento Theatres, Inc.; Principal Theatres, Inc.; Fox Western Mountain Theatre Corp.; San Luis Obispo Theatres.

The same terms apply to the following except that it is stipulated that the company cannot have more than one theatre in any community where the jointly-owned corporation has any theatre interests: Anaheim Theatres, Inc.; Broadway Theatre Co. of Santa Ana; West Coast-Santa Ana Theatre Corp.; Fullerton Building Co.; W. C. Wilmington Co.; Valley Theatres; Muskantine Amusements; West Coast Compton Theatres. With respect to Anaheim and Fullerton, Cal., National may have one theatre in either town but not in both.

National-UA Dissolution

National (20th-Fox) and United Artists Theatres would dissolve United West Coast Theatres in a manner which would return to National the houses which it originally brought into United West Coast and would return to United Artists Theatre Circuit its original holdings.

Stock of United West Coast is owned by National and United Artists Theatres pursuant to an agreement under which the latter two companies leased or sub-leased certain of their theatres to United West Coast. This arrangement is characteristic of the numerous corporate complexities which have made dissolutions by 20th-Fox and other majors difficult. Under the separation National may relinquish its interest in the Egyptian Theatre, Hollywood, which is owned by UA Theatres, and in turn National may acquire UA's interest in the Chinese Theatre.

Other NT Divestments

National will dispose of stock interests in Golden State Theatres and Realty Corp. and T. and D., Jr., Enterprises or will eliminate the joint ownership by a division of assets. In turn for its stock in both companies National may acquire the theatres not to exceed numerically its stock equivalent in both companies, on a percentage basis.

National, owning 90 per cent of Fresno Theatre, Inc., would be allowed to buy the other 10 per cent but must dispose of one first-run in Fresno, Cal., which is operated by the Fresno company. National, owning 81 per cent of Golden State Theatre Corp., may buy the remaining 19 per cent but must dispose of one house in Hanford, Cal., and one in Visalia, Cal. Cascade Theatres, owned by National and John Hamrick, will be dissolved in a fashion similar to the break-up of United West Coast Theatres.

National is not required, the government stipulates, to alter its interests in these divided ownerships: Fox Salinas Theatres; Gateway Theatres; Marstrand Theatre Co.; Pico Theatre Corp., Transbay Theatre, Inc.; West Coast Hollywood Circuit and the Carlton Rivoli.

Opening yesterday's session, Paramount's Bickford told the court that the basic issue on dissolutions was when a partner is a real investor or a potential exhibitor.

John Caskey, for 20th-Fox, told the court that there exists only one outstanding joint ownership which could not be resolved. Evergreen State Amusement Corp., Seattle, he said, arose when the 20th-Fox subsidiary, Fox West Coast, was faced with bankruptcy and new money was needed. He said that Frank L. Newman, who was an employee of Evergreen, and others, provided new financing and still have the financial interests in the circuit with Fox. He said that the ownership could be altered so that there would be five first-runs in Seattle opposing Evergreen's three. Caskey asked the court to consider this operation as constituting a whole interest, rather than a partnership in the usual sense.

Byrnes on Competitive Bidding

James F. Byrnes, also for 20th-Fox, expressed the conviction that competitive bidding was a wholly equitable means of licensing film and nothing "said in argument or in the Supreme Court's decision" has caused him to change his mind.

Louis Frohlich, for Columbia, told the court that the "Little Three" had three objectives: modification of the admission-price injunction, modification of clearance restraints and the elimination of the government's proposed controversial paragraph of injunctions on trade practices.

Called as a witness, Abe Montague, Columbia sales vice-president, said that there never had been any discrimination by Columbia in selling to independents or affiliates. He said that admission prices were entered on contracts only for the purpose of determining rentals on percentage pictures. He said it is the exhibitor, not the distributor, who causes the fixing of clearances in order to benefit the operation of his theatre.

Ed Raftery, for United Artists, again voiced an appeal for a separate decree for the "Little Three" if one is to be handed down against them at all. And touching on clearances, he said that uniformity is not *prima facie* evidence of conspiracy.

Paul N. Lazarus, sales executive for United Artists, and Paul N. Lazarus, Jr., who was identified as "second in command" of the company both testified, denying the existence of discrimination in selling.

Joseph Proskauer, for Warner, told the court at the close of the session that an arbitration system will be outlined in briefs and indicated its broadened scope when he reported that it will concern "excessive" bidding for films, and more.

Warner and Loew had substantially completed their cases at the hearings last month. They had no dissolutions to report to the court yesterday.

Broadway Grosses

(*Continued from page* 1)

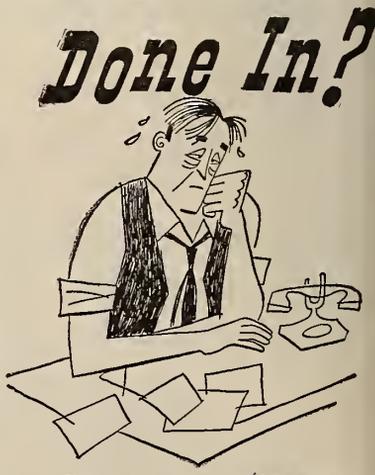
Paleface," supplemented by Benny Goodman's band on stage, is heading for a rosy $80,000 in a first week. Also brisk is "Rogue's Regiment" at the Criterion, where a bang-up opening on Saturday points to a big $31,500 for a first stanza. Sixth week of "Joan of Arc" at the Victoria saw a drop, although the $35,000 indicated is a sturdy figure. Picture got off to a very slow start at the Fulton where the first week's gross was $9,500 in face of a capacity potential of $20,000.

Twelfth week of "Hamlet" at the Park Avenue and ninth week of "The Red Shoes" at the Bijou are expected to be near-capacity, with $15,500 indicated for the former and $15,000 for the latter. Second and final week of "The Decision of Christopher Blake," together with "Dizzie" Gillespie's band on stage at the Strand, looks like a low $24,000 on the basis of $12,000 grossed Friday through Sunday. At the Capitol, the second and final week of "Let's Live a Little," with Bill Robinson on stage, is weak at $30,000. "Whiplash," at the Globe, is also weak, with $9,000 indicated also for a second and final week.

Final 10 days, concluding the ninth week of "The Three Musketeers" at Loew's State are expected to bring in a good $20,000.

A drop in business at the Rivoli points to an estimated $19,000 for the seventh week of "The Snake Pit." At the Roxy, "When My Baby Smiles at Me," plus a stage bill headed by Mickey Rooney, drew a disappointing $40,000 for the six-day fourth and final week. "Road House" is fair in its seventh and final week at the Mayfair, with $12,000 expected. "A Song Is Born" is doing poorly in its ninth and final week at the Astor, where only $10,000 is expected. A mild five-day third and final week will bring in only $3,500 for "Street Corner" at the Ambassador. Equally mild are "Harpoon," at the Rialto, where a second and final week looks like $6,500, and "Blanche Fury" at the Sutton, where $4,000 was grossed in the fifth week.





You don't need weeks off. Just a few days are time enough for a wonderful rest on a TWA Quickie Vacation in the great Southwest. Phoenix and Las Vegas are mere hours away by TWA Skyliner. *Big fare savings on family travel and round trips.* Want full facts? Call your travel agent or the local TWA office.

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64. NO. 120 NEW YORK, U.S.A., WEDNESDAY, DECEMBER 22, 1948 TEN CENTS

FILE COPY DO NOT REMOVE

MOTION PICTURE ASSOC. OF AMERICA, INC. (CHAMBERS) 28 WEST 44TH ST., NEW YORK 18, N. Y.

Venezuela and Brazil Remit $8,000,000

U. S. Films Gross About $12,500,000 Annually

WASHINGTON, Dec. 21. — U. S. film companies get remittances of some $7,000,000 annually from Brazil and between $1,100,000 and $1,500,000 from Venezuela, the U. S. Commerce Department estimates.

A report by film chief Nathan D. Golden said that while it is not possible to estimate the full amount which U. S. films gross yearly in Brazil, "to guess," the report said, "would place the figure at about $10,000,000 from gross rentals, from which would be deducted approximately 30 per cent for overhead."

In 1947, the report added, the U. S. accounted for 535 of the 702 feature films censored. Chief competitors were France, with 56; Mexico, with 23, and Italy, with 24.

Brazil has six good-sized film companies with their own studios and

(*Continued on page 3*)

Colorado Exhibitors Form Association

DENVER, Dec. 21.—Made up of affiliated and non-affiliated theatres, the Colorado Association of Theatre Owners (CATO) has been incorporated and has set its first convention for Feb. 1-2 in Denver. Speakers will include Ted Gamble, president of the TOA, and R. J. O'Donnell, president of Variety Clubs of America, with film star George Murphy slated to be master-of-ceremonies at a banquet.

Incorporators include B. D. Cock-

(*Continued on page 2*)

Cullins Heads New Mid-south Allied Unit

MEMPHIS, Dec. 21.—Edward O. Cullins of Memphis was elected president of the Allied Independent Theatre Owners of the Mid-South which was formed here today by some 75 exhibitors of this territory. John C. Mohrstadt of Hayti, Mo., was elected as vice-president and Mrs. Clara M. Collier of Drew, Miss., as secretary-treasurer. Named to the board of directors were J. A. West, T. A. Ballas, David Flexer, Lyle Richmond, W. L. Landers and W. Emalin. W. A. Prewitt, Jr., president of Gulf States Allied, addressed the meeting.

Lichtman May Take New 20th Sales Post

Twentieth Century-Fox executives and Al Lichtman are understood to have been conferring relative to the latter's assuming a top sales strategy post with the distributor following termination on March 1 of Lichtman's contract with M-G-M as a production executive at the Culver City studio. He was in distribution with M-G-M when he first joined the company in 1935.

The strategy post, it is said, would be newly-created and would not conflict with existing sales executive positions.

Johnston Answers Yankwich Charges

WASHINGTON, Dec. 21.—Eric A. Johnston, president of the Motion Picture Association of America, issued the following statement today through his office here:

"Federal Judge Leon Yankwich yesterday (Monday) in Los Angeles made extended references to me in rendering his decision in the case of Lester Cole, one of the 10 Hollywood men cited for contempt of Congress.

"I wish to comment on two points referred to by the court.

"One: Judge Yankwich referred to my 'high pressure methods' in persuading motion picture producers not to employ persons whom the public thought to be Communists.

"What actually happened, as I testified, is that I presented the produc-

(*Continued on page 3*)

UA Board Approves New Product Deals

A lengthy discussion of the financial problems of independent producers, a report on the status of the Hughes-Nasser deal, and setting of two distribution deals were among the matters dealt with yesterday by the United Artists board of directors at a meeting here.

No definite decisions were made in connection with the producers' financial problems. UA president Gradwell Sears reported at the meeting on the present status of the Hughes-Nasser deal to the effect that funds are still available for suitable story properties.

The board ratified a distribution contract for the Danziger-Tower production "Jigsaw," starring Franchot Tone. It also set a distribution con-

(*Continued on page 3*)

MAJORS' DEFENSE SCORED BY WRIGHT

File $295,000 Trust Suit in Pittsburgh

PITTSBURGH, Dec. 21.—Sixteen distributors and others were charged with violations of the Sherman and Clayton Anti-Trust Acts in a suit filed today in Federal Court here by Rudolph Navari and Samuel C. Navari, owners of the Eastwood Theatre here.

The Navaris claim they have been denied "first-run" films and seek damages totalling $195,000, plus attorney fees of $100,000.

The suit asks that the defendants be enjoined from withholding films in neighborhood theatres pending a hearing. Named in the suit are Paramount, 20th Century-Fox, Warner, M-G-M, RKO Radio, Columbia, Universal, United Artists, Monogram, Republic, and others.

Schine Case Dates Again Re-shuffled

BUFFALO, Dec. 21.—The anticipated order fixing Jan. 10 as the postponed date for hearings in the government's anti-trust case against Schine Circuit has been filed by Federal Judge Knight, but instead of that date it outlines the following order of the calendar for the next few rounds in the action:

Schine must notify the Department of Justice by Jan. 8 whether it wants to put in any further evidence. If it does, there will be a hearing on Jan. 18 to determine whether such evidence should be received, and if the court

(*Continued on page 6*)

Roach Enters Video Field, Abandons Film

HOLLYWOOD, Dec. 21.—Hal Roach today announced his withdrawal from motion picture production in order to confine his activities henceforth exclusively to television. Hal Roach Television Corp. will launch a production program tomorrow of a series of six half-hour shorts, with 12 additional series to follow.

"Following the entertainment-seeking trend of the public mind has been my life work since the inception of motion pictures," Roach declared. "I am thoroughly convinced that the insatiable desire to be entertained will find its greatest satisfaction through television."

Hearings Adjourned to March 29; WB, Loew's Agree on Dissolutions

Government's suit against the distributors was adjourned to March 29 in New York Federal Court yesterday at the close of a two-hour session during which prosecuting attorney Robert Wright called upon the court to "appraise the precise nature and extent of the majors' control" and renewed his demand for total divorcement accompanied by a ban on "discriminatory practices" and cross-licensing.

The court directed defendants to propose findings and judgments in the form of briefs served upon the government by Jan. 31 and gave the government until March 1 to respond. The oral argument will be resumed, and possibly concluded on March 29th.

The line of defense offered by the companies—that the "reforms" effected in licensing film and concessions on dissolutions constituted adequate relief—was the consequence, Wright said, of the "pressures put upon" the defendants by the New York and U. S. Supreme Courts. Moreover, he said, even in the face of the new restraints on trade practices the majors maintain an illegal "exclusionary power."

Wright told the court that block booking, franchises and other practices from which the companies have

(*Continued on page 6*)

Hand Cites Lawyers' 'Skill and Goodwill'

Federal Judge Augustus N. Hand drew the curtain on the latest court room chapter in the 10-year-old Paramount case here yesterday with judiciary commendations for both sides. Said he: "I never saw a case which was presented with more skill and goodwill among counsel. If it had not been so complex I would say I enjoyed it. But I do not want to commit myself."

This constitutes a reversal by the jurist who on previous occasions let it be known that the protracted nature of the case perturbed him.

Personal Mention

ERNEST EMERLING, Loew Theatres' advertising-publicity director, is observing a birthday today.

•

LEROY PRINZ, Warner director, is at home after a long recuperative period from a major gall bladder operation at St. John's Hospital, Hollywood. He is due back at the studio after Jan. 1.

•

HAROLD RUBIN, Universal-International home office statistician, is recuperating at Crown Heights Hospital, Brooklyn, following an appendectomy.

•

MAURICE N. WOLF, assistant to M-G-M's exhibitor relations director H. M. RICHEY, is spending the holiday weekend with his family in Boston.

•

CHARLES EINFELD, newly elected 20th Century-Fox advertising-publicity vice-president, has leased a midtown apartment here and will dispose of his Beverly Hills home.

•

ERIC JOHNSTON, Motion Picture Association of America president, has left Hollywood for Spokane where he will spend the holidays.

•

DAVID D. HORNE, Film Classics foreign sales manager, will return to New York today from England and the Continent.

•

MORTON LIEBERMAN, Boston theatre operator, and MRS. LIEBERMAN have become parents of a daughter, VICTORIA.

•

JACK COHAN has resigned from the 20th Century-Fox sales staff in Minneapolis after 21 years to enter another business.

•

B. G. KRANZE, Film Classics general sales manager, will leave here today for Detroit.

Stars at AMPA Party

Diana Barrymore and Robert Wilcox will be among stars who will attend the Associated Motion Picture Advertisers' annual Christmas Party tomorrow, AMPA announces. The luncheon will be held in the Brass Rail Restaurant here and will be presided over by Max E. Youngstein, president.

Goldstein Handling 'Joan'

The Jack Goldstein Office has been engaged by the Victoria and Fulton theatres here to do special publicity, exploitation and promotional work in conjunction with the simultaneous showing of "Joan of Arc" at the two theatres.

QP Christmas Party Held

Quigley Publishing Co. employes held their annual Christmas dinner-party last evening at Rosoff's here. Harry Anastasi of the circulation department was chairman of the arrangements committee.

House Unit Approves T-H Law Revisions

WASHINGTON, Dec. 21.—The Joint House-Senate "watchdog" committee on the Taft-Hartley Law has approved several suggestions to tighten the law and one to relax it.

Seven Republicans and one Democrat approved a report drawn up by the committee's staff. Five Democrats and one Republican—all opposed to the entire Taft-Hartley Law—were absent. The joint committee is going ahead with its recommendations even while the Administration plans to recommend that the next Congress do away with the law entirely.

The suggestion for relaxing the law is a step which has been urged by the film studio unions and some studio officials—to do away with the present requirement that there must be an NLRB election before a union shop can be certified.

Suggestions to tighten the law include: Broadening the requirement that union officers sign non-Communist affidavits so that lesser officials as well as top officials must sign; requiring unions to pay workers for time lost due to a union unfair labor practice, and guaranteeing employers the right to express their views on collective bargaining elections.

Capital Area Plans For Conciliation Hit

WASHINGTON, Dec. 21. — Plans for a Theatre Owners of America-sponsored exhibitor-distributor conciliation unit in this area have bogged down, it is indicated by A. Julian Brylawski, president of the TOA of Metropolitan Washington. He said there are a number of reasons, namely, that Virginia theatre owners have indicated they want to set up their own unit, Allied units in Maryland do not want to go along until all pending litigation is cleared up in the courts, and there "are no independents in Washington to round out the panel."

Inaugural Fund, Two Drives Are Backed by Capital TOA

WASHINGTON, Dec. 21.—A meeting of the TOA here has voted $2,000 to the national fund for President Truman's inaugural in January and pledged support of "Brotherhood Week" and the "National Heart Campaign."

Mrs. A. Julian Brylawski, wife of the TOA unit's president, was presented with $1,000 in commemoration of her husband's 26th anniversary as head of the organization here.

Colorado Exhibitors

(*Continued from page* 1)

rill, managing director of the Denham Theatre, president and treasurer; Pat McGee, general manager of Cooper Theatres, vice-president; Charles R. Gilmour, president of Gibraltar Enterprises, secretary, and A. P. Archer, of Civic Theatres; William Agren, Fox Intermountain Theatres; Dave Davis, Atlas Theatres, all of Denver, and Larry Starsmore, of Westland Theatres, Colorado Springs.

Wants Theatres Paid For Film Beer Ads

Indianapolis, Dec. 21.—Associated Theatre Owners of Indiana is supplying its members with a list of feature films in which National Premium Beer has been pictured, suggesting at the same time that exhibitors who have played the films send an invoice for screen advertising to National Brewing Co.

"As an alternative," the ATOI says, "the exhibitor certainly should demand an adjustment from the distributor."

Eastern SAG Seeks $175 Wage Minimum

Eastern Screen Actors Guild will approach producers here next month for a new contract stipulating wage minimums of $55 per day, and $175 per week for actors in theatrical films, and $45 per day and $155 per week for those appearing in non-theatrical pictures, it was disclosed here yesterday by Florence Marsten, Eastern SAG representative.

The guild's members, Miss Marsten reported, voted 100 per cent in support of the guild in a union authorization election conducted by the National Labor Relations Board in conformance with the provisions of the Taft-Hartley Law.

British Film Boycott Withdrawn by Group

The Sons of Liberty announced here yesterday that it is withdrawing its boycott of British films which fall within the scope of the Anglo-American film agreement. The action came as a result of an exchange of letters between Nate J. Blumberg, president of Universal, and Johan J. Smertenko, acting chairman of the Sons of Liberty Committee, which clarifies the fact that funds earned by British films in the United States are retained by the industry in this country.

Wolf Sets Five Talks

Five speaking engagements have been lined up by Maurice N. Wolf, assistant to H. M. Richey, M-G-M exhibitor relations head, starting Dec. 28, when he will appear before the Exchange Club at Worcester, Mass., following with a talk on the Motion Picture Council, Charlotte, Jan. 5; the Kiwanis, same city on the following day; Rotary Club at Columbia, S. C., Jan. 17, and the convention of North and South Carolina Theatre Owners, Jan. 30-31, at Charlotte.

Allied Meet in Feb.

WASHINGTON, Dec. 21. — Allied States Association's next board meeting will be held here "sometime in February," Allied general counsel Abram F. Myers disclosed. Myers added no definite date had been set.

Newsreel Parade

THE christening of Prince Charles and the presentation of the Kitty Hawk plane to the National Museum are current newsreel highlights. People in the news, sports, and human interest stories round out the reels. Complete contents follow:

MOVIETONE NEWS, No. 102—Royal christening in London. Kitty Hawk [illegible]ne's 45th anniversary. Collier Trophy [illegible] aviation pioneers. Wrecked C-47 saved. Darryl Zanuck honored by B'nai B'rith. Football. Barbara Ann Scott at Roxy Theatre in New York.

NEWS OF THE DAY, No. 232—Hail Prince Charles at Royal christening. Nation salutes Wright plane. Circus brings thrill to London youngsters. Football.

PARAMOUNT NEWS, No. 35—Kitty Hawk presented to National Museum. Baby Prince makes debut before cameras. Film celebrities home in time for holidays. U. S. Attorney General Clark urges stronger espionage laws. Football.

UNIVERSAL NEWS, No. 206—Royal Prince Charles of England christened. Snowstorm holds East in icy grip. Navy rescue in the Pacific. Collier Award. Kitty Hawk plane in National Museum. Football.

WARNER PATHE NEWS, No. 37—Kitty Hawk air show dedication. Snowstorm in East. Royal baby christened. People in the news: Alger Hiss; Barbara Ann Scott; Gen. DeGaulle. Navy rescue. Football.

High Costs Require Adjustment: Vaughn

Motion picture producers will have to adjust their methods like any other producer of consumer merchandise, according to James Vaughn, head of Eagle-Lion studio's promotion department, in order to meet rising production costs. Vaughn has returned to the Coast after a trip to New York.

"Rising production costs caused by increases in wages as a result of recent industry-wide negotiations in Hollywood as well as increased costs of materials are forcing other studios to follow the producing pattern established by Eagle-Lion during last year," when pictures like "T-Men," "Canon City" and "He Walked by Night" were made at a collective cost of just slightly over $1,000,000 to produce, Vaughn stated. It is understood that the three films will gross almost four times their cost before the end of 1948.

Vaughn stated that Hollywood executives are placing more and more stress upon the necessity of coordinating their projects with studio production departments. This function, which was allowed to slide slightly during the lush war years when anything went at the box-office and money was loose, will take on more importance as production costs increase and box-office results return to normal, he added.

Mrs. Margaret Cron

Mrs. Margaret B. Cron, wife of James A. Cron, formerly advertising manager of MOTION PICTURE DAILY and of *Showmen's Trade Review,* died on Tuesday at New Rochelle Hospital, Westchester. The funeral will take place tomorrow from the Davis Funeral Chapel, 15 LeCount Place, New Rochelle, at 10 A.M., when a Requiem Mass will be celebrated at Holy Family Church in the same town.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Tbeatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

Johnston

(*Continued from page* 1)

ers with two alternatives: Either they could employ persons thought by the public to be Communists and defend their employment, or they could dismiss them. The choice was up to the producers and I told them it was up to them to fish or cut bait. The decision was entirely theirs. They made it unanimously.

"On the judge said my attitude was dogmatic, doctrinaire and absolutist.

"I want to repeat what I have said many times: I would not employ a known Communist in a responsible position. If that decision makes me dogmatic, doctrinaire and absolutist, I plead guilty on all three counts.

"In this attitude, I find myself in reputable company. The Government of the United States will not employ Communists. Our national labor unions are purging Communists from positions of leadership.

"This is my position. I intend to stand by it."

Skouras Answers Yankwich: Denies Johnston 'Pressure'

Commenting on Federal Judge Leon Yankwich's remarks in ruling in favor of writer Lester Cole in Los Angeles Monday, Spyros P. Skouras, president of 20th Century-Fox, said in a press statement issued here yesterday:

"I was surprised to read the news accounts today which quoted the judge in the Cole case to the effect that Eric Johnston had 'high pressured' executives of the motion picture industry to take the action they did growing out of the citation for contempt of Congress of 10 Hollywood writers.

"I wish to state publicly that neither I nor the company was 'high pressured' by Mr. Johnston or anyone else. The action with respect to the so-called 'Hollywood 10' was taken by directors of 20th Century-Fox independently and on our own initiative. As a matter of fact this action was taken prior to the meeting of industry executives at which the policy was agreed to."

'Review of Facts' Determined Action by RKO, Depinet Says

Answering remarks made by Judge Leon Yankwich to the effect that Eric Johnston, president of the Motion Picture Association of America, had "high pressured" the film industry into "taking summary action" against Lester Cole, M-G-M writer, and others who refused to answer certain questions by the House Un-American Activities Committee, Ned E. Depinet declared here yesterday that the RKO Radio board of directors and officers decided to terminate the services of Edward Dmytryk and Adrian Scott "after a full review of the facts" and "not by reason of any urging by Mr. Johnston."

Cole Counsel Sees MGM Appeal Delaying Other Nine Cases

HOLLYWOOD, Dec. 21.—Attorney Robert Kenny, who counselled the "unfriendly 10" in last year's House Un-American Activities Committee hearings and who represented Lester Cole in his successful suit for reinstatement of his M-G-M contract, today declared that the course to be followed by the others whose employment was terminated in sequel to the committee's hearings will not be determined until M-G-M decides whether to appeal from the verdict in the Cole case, which was rendered Monday.

"Naturally," said Kenny, "we will proceed with prosecution of the other cases if an appeal is not forthcoming."

M-G-M must pay Lester Cole's $1,350 weekly salary until expiration of his contract in November of next year, and 56 weeks back pay covering the period since he was suspended following the Un-American Activities Committee hearings, Federal Judge Leon Yankwich ruled.

Reviews

"Act of Violence"

(*Metro-Goldwyn-Mayer*)

THE unobtrusive command of realism that one has come to expect of director Fred Zinnemann is amply present in "Act of Violence," a high-voltage drama of violence and vengeance. The story—a study of two men, one the hunted and the other the hunter—is one which departs from the mainstream of Hollywood formulas. As such it possesses unique interest and has numerous merchandising possibilities. A strong cast, headed by Van Heflin, Robert Ryan and Janet Leigh, lends further luster to its box-office outlook.

As the story opens, Heflin, a war hero, is a respected citizen living contentedly in a small community with his wife, Miss Leigh, and their child. Presently, however, Ryan emerges from out of the past with a throbbing obsession to kill Heflin. The story thus becomes a series of panic-stricken flights by Heflin and vengeful pursuits by Ryan. Gradually the audience learns that the pair had been buddies during the war. One day their plane was shot down and the entire crew became prisoners of the Nazis. In time, Ryan engineered an escape, but just as it was being carried out, Heflin, out of a complex of reasons, betrayed him to the Nazis.

Throughout the picture a tense atmosphere of foreboding is maintained. Finally, in exhaustion and confusion, Heflin falls into a den of professional killers who arrange to eliminate Ryan. A last-minute surge of courage and remorse overtakes Heflin, and he crosses the assassin's fire to save Ryan. Some splendid auxiliary performances are provided by Miss Leigh, as the torn and terrified wife; Mary Astor, "gin-mill moll"; Phyllis Thaxter, as Ryan's sweetheart, and Berry Kroeger, professional killer. Heflin, as the conscience-stricken fugitive, and Ryan as the crazed, limping avenger, turn in praiseworthy characterizations.

Robert L. Richards' screenplay, based on Collier Young's story, is a highly effective affair, but marked by an occasional reliance on deliberate shock devices. Production by William H. Wright is resourceful.

Running time, 82 minutes. Adult classification. For February release.

MANDEL HERBSTMAN

"Whiplash"

(*Warner Brothers*) *Hollywood, Dec.* 21

DANE CLARK, Alexis Smith, Zachary Scott, Eve Arden, Jeffrey Lynn, Alan Hale and S. Z. Sakall comprise the marquee battery with which to sell this melodrama of the boxing ring and tangled emotions. It differs from most prizefight melodramas in many important respects, notably in that nobody tries to fix the outcome of the bouts, yet contains plenty of ring violence for boxing addicts and a sufficiency of fist and pistol fighting for those who like their violence unsupervised by a referee. Nevertheless, the ring stuff appears to be the element to stress in billing.

Clark portrays a young artist whose father has caused him to equip himself also as a boxer, just in case he fails as a painter. The picture opens in California, where Clark falls in love with Miss Smith on sight, and moves to New York where he seeks to find her after she has moved away without notice. In New York he learns, the hard way, that she is the wife of a racketeer and nightclub owner who, hopelessly crippled at the height of his own ring career, manages fighters in the hope of winning the pugilistic title he did not win for himself. Believing Miss Smith deceived him deliberately about her marital status, he enters the ring under her husband's management and becomes a vicious battler, but discovers just before his title bout that she has had to endure life with her husband (Scott) to protect her brother, a doctor whom Scott holds responsible for his invalidism. Everything gets straightened out in a highly actionful finish which plays better than it would read in synopsis. William Jacobs produced and Lew Seiler directed, from a screenplay by Maurice Geraghty and Harriet Frank, Jr., adapted by Gordon Kahn from a story by Kenneth Earl.

Running time, 91 minutes. General audience classification. Release date, not set.

WILLIAM R. WEAVER

Irene Dunne Honored

Irene Dunne has been named by the National Conference of Christians and Jews as the person "who has done most in 1948 to promote better understanding among peoples of all faiths." Spyros P. Skouras, 20th Century-Fox president and a director of NCCJ, said the award would be presented to the actress on Feb. 4 at a luncheon in New York.

Memphis Challenges 'Curley' Censor Suit

MEMPHIS, Dec. 21.—Circuit Court Judge Floyd Henderson tonight took under advisement the question of whether United Artists and Hal Roach Studios have a legal right to bring suit against the Memphis Board of Censors for banning Roach's "Curley" from Memphis theatres. The court recessed the case after two days of argument on this issue by five city attorneys and two film industry lawyers.

Troupe to Germany

WASHINGTON, Dec. 21. — A party including Irving Berlin and Mrs. Berlin, Mr. and Mrs. Bob Hope, Russell Markert and six Rockettes, Tex McCrary and Jinx Falkenburg left here by plane yesterday for Germany, where they will spend the holidays entertaining airlift personnel.

BoardPicks'Hamlet' As the 'Year's Best'

The National Board of Review, making its annual choices of the best films of the year, chose the following as the 10 best on the basis of entertainment:

"Hamlet," "The Search," "Sitting Pretty," "Gentleman's Agreement," "Johnny Belinda," "Joan of Arc," "I Remember Mama," "The Bishop's Wife," "Red Shoes," "The Snake Pit."

The Committee on Exceptional Films, on the basis of artistic merit and importance, has selected the following:

Best film of the year: "Paisan."

The 10 best in order of preference: "Paisan," "Day of Wrath," "The Search," "Treasure of the Sierra Madre," "Louisiana Story," "Hamlet," "The Snake Pit," "Johnny Belinda," "Joan of Arc," "Red Shoes."

The committee also selected: Best direction of the year, Roberto Rossellini for "Paisan"; best performance of the year by an actress, Olivia de Havilland in "The Snake Pit"; best performance of the year by an actor, Walter Huston in "Treasure of the Sierra Madre"; best screenplay of the year, John Huston, for "Treasure of the Sierra Madre."

Venezuela, Brazil

(*Continued from page* 1)

equipment, according to Commerce. In addition, there are approximately 30 smaller organizations.

The report by Golden estimated that U. S. films gross $1,750,000 to $2,500,000 each year in Venezuela, American films accounting for about 40 per cent of the films now being shown.

There are no Venezuelan restrictions of any type on U. S. films, and none are contemplated, according to the report. Nor are there at present any rulings requiring the showing of domestic films.

UA Board Approves

(*Continued from page* 1)

tract for a picture titled "The Roman Sun." "Jigsaw" will be released early next month, Sears said.

Meanwhile, the Danziger organization reported through its Eastern representatives that Neil Agnew, president of Motion Picture Sales Corp. here, will serve as producer representative for the picture.

UA Board Accepts Coplan's Resignation as UK Chief

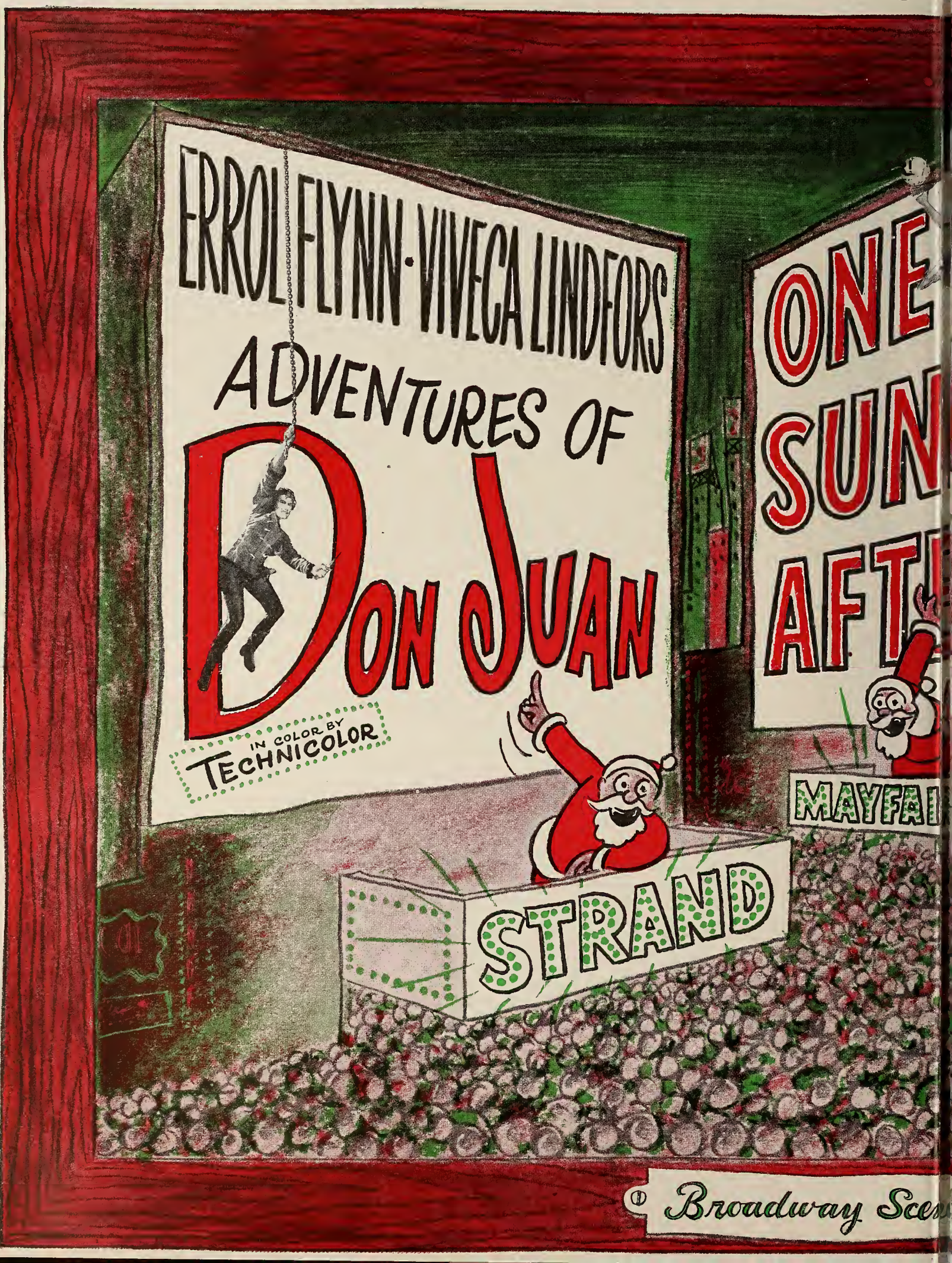
Board of directors of United Artists accepted at its meeting here yesterday the expected resignation of David Coplan as managing director of United Artists, Ltd., who maintained headquarters in London.

Arthur Kelly, UA executive vice-president, has scheduled a trip to England in January for the purpose of appointing a successor to Coplan.

U-I to Publicize Films via Video

Universal-International has undertaken an exploitation-publicity service for television stations throughout the country through distribution of a special kit of stills and a five-minute script to supplement the pictures. This service is an outgrowth of the publicity material for use in radio by motion picture commentators.

ON EVERY CORNER THERE'S



BIG ONE FROM WARNER!!



Wright Scores

(*Continued from page* 1)

been enjoined, are no longer issues to be decided. He said that the defense argument that competitive bidding showed the improved position of the independent exhibitors carried no legal weight primarily because bidding had been vacated by the Supreme Court.

Federal Judges Augustus N. Hand and Henry Goddard both had questions for Wright on the relief he thought to be in order. "Assuming there is no conspiracy, what relief would be necessary to make them (the majors) competitive," Judge Hand queried.

To this Wright replied: "Their first-run control is still as decisive as when the case was first tried."

Wright said that even a large first-run independent cannot compete with an affiliate and gave as an example an independent's operation of the Paramount Theatre, Toledo, against a Balaban and Katz house. The independent, Wright said, was deprived of 20th Century-Fox films. Paramount attorney A. C. Bickford later took issue with Wright on this, holding the latter's presentation of the facts as not being too specific.

Judge Goddard asked about proper relief, "assuming that independents had fair opportunities to get pictures." Wright said that such opportunities so far have been too limited.

Justice Hand Questions Wright

Judge Hand wanted to know if a major company's "wealth" in itself was objectionable. Wright answered that a free market cannot exist where "the best pictures are tied to" the majors' theatres.

"Even if Paramount stood alone," Judge Hand pressed, "with all others being independent, would it still be violating the Sherman Act?" Wright came back with a positive "yes." Such "control" by one company would be "less decisive," he added, somewhat qualifying his first answer. But again he cited the "exclusionary power" which the company allegedly could exert.

Weighing the argument, Judge Hand said that Paramount's maintaining a "dominant position" in violation of the anti-trust law is "possible, but theoretical—new."

Both Warner and Loew yesterday reported proposed dissolutions of partnership operations, most of which details had been known before.

Warner and the government agreed on the split of six jointly-owned companies and this was put in the form of an order for the court to sign. Warner will divest itself of holdings in Harold Theatre Co., Mt. Oliver Theatres, MacArthur Corp. and W. F. Theatre Co. In the case of Regent-State Corp., Springfield, O., Warner will be allowed to acquire ownership of two of the five houses with which the Regent firm operates.

The government has stipulated that Warner will be allowed to keep eight of the 11 theatres operated by Atlantic Theatres in New Jersey. Warners may acquire RKO's interest in the Allen Theatre, Cleveland.

Thus Warner is allowed to take over 11 theatres of the 26 which were operated in partnership. However, in entering the agreement, the government reserved the right to press for divorcement as it did in similar accords with the other majors.

The government has conceded that Loew's partners in the State, White Plains, N. Y.; Toledo Operating Co. and Valentine Theatre Co. are not "potential exhibitors" and will not charge these as being joint ownerships within the meaning of the Supreme Court's mandate. Also so classified was the Gates Theatre Corp. in which Charles Jaffa has an interest.

Would Relinquish Criterion Here

As previously reported, the ownership of Buffalo Theatres will be severed so that Loew will take over seven of the circuit's houses and Paramount will own the remaining five. Loew will relinquish its interests in the Rhodes Theatre Operating Co. and the West Reading Theatre, in addition to its 50 per cent ownership of the Criterion, New York, and the Lee, at Richmond, Va.

Penn Federal, owned on a 50-50 basis by Loew and United Artists Theatres, operating eight theatres in Baltimore, Columbus, Louisville and Pittsburgh, will be dissolved with Loew and UA Theatres each taking four houses.

Judge Hand directed that the defendants submit their proposed findings and judgments in briefs to the government on Jan. 31. He gave the government until March 1 to respond and set March 30 as the date for new oral arguments.

Griffith Strategy Not To Be Altered

OKLAHOMA CITY, Dec. 21.—C. B. Cochran of the Griffith Amusement Co. legal staff declares that his approach to the current trust suit proceedings in Federal Court here has not changed as a result of evidence submitted during the past two weeks by government attorneys.

Cochran's statement came after government attorneys hailed new evidence in the case as being more sweeping than that permitted by Judge Edgar S. Vaught three years ago during the trial. "The only relief the government is entitled to is an injunction against combining close and competitive towns in master film buying agreements," said Cochran. A hearing to determine the final ruling was recessed until Jan. 24.



Schine Case Dates

(*Continued from page* 1)

rules it should be, Schine must be ready to present the evidence immediately.

At that time, too, the court would rule on the extent and type of evidence which the Justice Department could put in by way of reply.

If Schine chooses to submit new evidence, and it is admitted, and Justice replies, Schine must submit its proposed findings and conclusions 15 days after Justice finishes presenting its evidence. If Schine should decide to withhold any further evidence, it must submit its proposed findings by Jan. 23.

Ask More Filing Time

WASHINGTON, Dec. 21.—Paramount today asked the Federal Communications Commission for an extra 15 days, until Jan. 20, to file exceptions to the Commission's proposed order on the Paramount-DuMont television situation.



Have YOU tried a SKYBERTH on American's famous DC-6 "MERCURY" flight to LOS ANGELES?

Phone HAvemeyer 6-5000 or your travel agent

Ticket Offices: Airlines Terminal
Rockefeller Center • Hotel New Yorker
120 Broadway • Hotel St. George

AMERICAN AIRLINES

THE INDUSTRY'S TOP ANNUAL EVENT!

A. M. P. A. CHRISTMAS PARTY

Thursday, December 23rd, 12:30 Noon

Sea Grill, Brass Rail Restaurant
49th and Seventh Avenue

STARS—PRIZES AND SURPRISES!

ADMISSION . . . . TWO DOLLARS

Call CHET FRIEDMAN, COlumbus 5-6370

RESERVATIONS LIMITED





How she fares depends on him...

WHAT the laboratory superintendent does is highly important to star . . . director . . . and movie-goer.

For his is the responsibility of providing release prints that meet the producer's specifications . . . and satisfy, at the same time, the requirements of the exhibitors.

Through his picture sense . . . his broad knowledge of photochemistry and the mechanics of processing, his precise control of printing density and contrast . . . he can bring out the best in every film, make the star's voice and presence more effective, help protect her popularity with her audience.

Critical work—this; but done all the more easily and efficiently by the laboratory superintendent and his staff, because of the quality and reliability they find in the famous family of Eastman motion picture films.

EASTMAN KODAK COMPANY
ROCHESTER 4, N. Y.

J. E. BRULATOUR, INC., DISTRIBUTORS
FORT LEE • CHICAGO • HOLLYWOOD

WHY DID HIS HAIR TURN GREEN?



In your ads, ASK YOUR PATRONS NOT TO REVEAL THE SECRET of the most amazing entertainment ever screened! . . . Not just the story of a boy, but the mighty drama of a strange happening and what it did to a townful of people!

A **DORE SCHARY** *Presentation*

THE BOY WITH GREEN HAIR

COLOR BY **TECHNICOLOR**

starring

PAT O'BRIEN · ROBERT RYAN · BARBARA HALE and DEAN STOCKWELL
AS "THE BOY"

RKO RADIO PICTURES

Produced by STEPHEN AMES · Directed by JOSEPH LOSEY

Screen Play by Ben Barzman and Alfred Lewis Levitt

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64, NO. 121 NEW YORK, U.S.A., THURSDAY, DECEMBER 23, 1948 TEN CENTS

To Split Nat'l, UA Circuit of 60 in 90 Days

Schenck Coming Here For Other Dissolutions

HOLLYWOOD, Dec. 22. — United Artists Theatres of California and National Theatres will dissolve their partnership operation of 60 Coast theatres within 90 days, it was disclosed here by Joseph M. Schenck, president of United.

National was given a full year to break up joint ownerships in its agreement with the government. All separation arrangements must be submitted to New York Federal Court for approval.

In splitting the Coast operation, National and United each will take back the theatres which they had owned or leased before they were merged.

Schenck has left here for Miami. After the holidays he will proceed to New York to effect split-ups of United's eight joint operations with Loew and Paramount.

Para. Plan Envisages 1,000-Theatre Total

Paramount attorney A. C. Bickford's statement in New York Federal Court this week that the company would be left with 600 theatres after the partnership dissolution which it is "prepared" to effect was intended to mean 600 in addition to the approximate 400 which it already fully owns. Thus, the company would have a total of 1,000 wholly-owned theatres, a home office attorney said yesterday.

The spokesman said he checked the court record following reports in various trade publications and found Bickford's remarks to be "ambiguous." He added, however, that Bickford was discussing the dissolution program and did not have the wholly-owned situations in mind at all.

Dutch Subsidizing To Conserve Dollars

WASHINGTON, Dec. 22. — The new Netherlands budget provides for financial support to subsidize the newly re-established Netherlands film industry, the U. S. Commerce Department reveals here.

Film chief Nathan D. Golden said that Dutch officials have allocated the

(*Continued on page 5*)

Syracuse Operator Files Trust Action

Eight distributors and a Syracuse, N. Y., theatre company were named defendants in an anti-trust suit filed here yesterday in U. S. District Court by Brighton Theatre Corp., operating the Brighton in Syracuse. Plaintiff seeks unstipulated treble damages and an injunction to restrain the defendants from entering licensing agreements to the disadvantage of the Brighton.

Also being sought by the plaintiff is clearance of no later than 30 days after the first-run in Syracuse for the second-run Brighton and a court order that defendant Kallet Theatres, Inc., shall not receive for its second-run Regent any clearance over the Brighton. It is stated in the complaint that no competition exists between the two houses.

FCC Gets RMA Bid For Stabilized TV

WASHINGTON, Dec. 22.—Plans for future national television service, continuing and expanding present standard frequencies for larger cities and proposing future supplementary broadcasting and television receivers for smaller cities in the higher frequencies, were submitted yesterday to the Federal Communications Commission by a committee of the Radio Manufacturers Association. The manufacturers' plan would avoid obsolescence for the public of current television receivers and largely avoid costly future "two-band" sets.

Also, the FCC was urged to end its temporary "freeze" on new television station construction permits as quickly as possible, to allow maximum development in 1949 of current standard television broadcasting and receivers.

The RMA recommendations were presented by a committee headed by RMA president Max F. Balcom.

Lachman, Sullivan Aid 'Brotherhood'

Ed Lachman, president of Allied Theatre Owners of New Jersey, and Gael Sullivan, executive director of the Theatre Owners of America, have been appointed national exhibitor co-chairmen for "Brotherhood Week," by Ned Depinet, chairman of the motion picture division of the drive.

Exchange territory chairmen are now being lined up by Lachman and Sullivan. Maxwell Alderman, Si Fabian, Ted Gamble and Nathan Yamins have already agreed to serve on the national committee.

Independent Press Agents Organize

Formation of the Independent Publicists Association, a group of New York, Philadelphia and Boston press agents, has been announced by Robert McLaren, president, to set a standard code of ethics. Aspects of the code will be discussed at a dinner being planned by IPA at the Barbizon Hotel here next month. Membership now totals 60.

"There is no reason," McLaren maintained, "why publicists can't supply perfectly legitimate copy with sound news value" that will both serve their clients and maintain high standards of coverage in the nation's press.

Rival Phila. Locals Set for a Showdown

PHILADELPHIA, Dec. 22.—Struggle for jurisdictional supremacy here between IATSE theatre employes Local No. B-100 and Building Service Employes Local No. 252, which is made up of former B-100 dissidents, will have to be decided in an election to be held by the Pennsylvania State Labor Relations Board, it has developed following yesterday's petition by "IA" attorneys for a court order to restrain leaders of Local 252 from using $6,000 in union funds deposited originally in the name of B-100 in two local banks. The rival unions are both AFL affiliates.

Meanwhile, "IA" international representative Lawrence J. Katz has

(*Continued on page 5*)

14 Features from MGM in 5 Months

Boosting the number of releases to 14 for the five-month period starting Jan. 1, M-G-M has added "Command Decision" to its February schedule. The company now will have three pictures for each of the first four months of the new year; the fifth month—May—will continue with two films.

Starting Saturday, "Command Decision" will be shown in three Fox West Coast Theatres, to make it eligible for the Academy Awards. It will open at Loew's State here following "Force of Evil."

As the revised M-G-M schedule now stands, January will see the following three made available: "Three Godfathers," "The Kissing Bandit" and "Piccadilly Incident." Flanking

(*Continued on page 5*)

U. A. in Study Of Production Finance Plans

Group To Meet Chaplin, Pickford Next Month

Meetings between a special committee of the United Artists board of directors and the company's owners, Mary Pickford and Charles Chaplin, to discuss proposals for providing financing to established independent producers may be held on the Coast next month.

Continuing bank restrictions on independent financing during the past 18 months have cost United Artists numerous pictures and continues to make its future product supply uncertain. The problem was brought to a head recently by the Bank of America's new requirements for 100 per cent guarantees on independent producers' loans.

United Artists has sufficient product for the next six months but the outlook thereafter is bleak. The company's management and directorate believe that it is of the utmost impor-

(*Continued on page 5*)

'IA' Board to Meet In N.O. on Jan. 31

NEW ORLEANS, Dec. 22. — Midwinter meeting of the IATSE general executive board will be held at the Roosevelt Hotel here beginning Jan. 31, and continuing a week. International president Richard F. Walsh will preside.

Members of the board, in addition to Walsh, are: Vice-presidents Harland Holmden, Cleveland; William P. Covert, Toronto; Floyd M. Billingsley, San Francisco; James J. Brennan, New York; Roger M. Kennedy, Detroit; Felix D. Snow, Kansas City; Carl G. Cooper, Hollywood; William C. Barrett, Hollywood; Louise Wright, Dallas, and general secretary-treasurer William P. Raoul.

$23,000 Deficit for Columbia in Quarter

Columbia Pictures reports a net loss of $23,000 for the 13-week period which ended on Sept. 25. For a similar quarter which ended on Sept. 27, 1947, Columbia reported an operating profit of $630,000 which, after taxes of $260,000, resulted in a net profit of $370,000. The figures are estimated.

Personal Mention

Y FRANK FREEMAN, Paramount studio executive, will leave Hollywood Sunday for New York for home office conferences.

•

NEVIN MCCORD, former manager of the Boise and Ada theatres in Boise, Ida., has been transferred to Salt Lake City as manager of the Capitol, which he managed prior to World War II. He has succeeded ROBERT E. WORKMAN, who has been shifted to the Boise post.

•

PAUL S. GOLDBERG, son of HARRY GOLDBERG, Warner Theatres' advertising-publicity director, will be married on Sunday to ISOBEL RURENBERG, at Emanu-El Synagogue in Philadelphia.

•

HOWARD DIETZ, M-G-M advertising-publicity vice-president, will appear as guest star on the "Textile Topics" radio show to be broadcast by transcription over eight Southern stations next week.

•

AB WEISBORD of M-G-M's advertising department here has been awarded first prize for the best "Collage" at the recent exhibition of the Art Directors Club of New York.

•

WILLIAM MORTENSEN, managing director of the Bushnell Memorial Theatre, Hartford, has been given the "Good Citizen Award" for 1948 by the Hartford Jewish War Veterans.

•

MARK GOLDMAN, former Eagle-Lion branch manager in Cleveland, has been named special sales representative by NATE SCHULTZ, Monogram franchise owner in that city.

•

L. W. MCCLINTOCK, who has been on sick leave, will resume his duties as branch manager of Paramount's Memphis office on Jan. 3.

•

HARRY ELLIOTT, manager of the Ohio Theatre, Springfield, Ohio, has been elected president of the Chakeres-Warner Club in that city.

•

AL FITTER, Paramount booker in New Haven, and MRS. FITTER have become parents of a son, RUSSELL E. FITTER.

•

SID SOMMERS has been promoted to city manager for Warner Theatres in Troy, N. Y., from manager of that city's Troy Theatre.

•

GLORIA SWANSON is recovering at Doctors' Hospital here after an emergency operation for appendicitis.

•

WILLIAM DIETERLE, Hal Wallis director, arrived here yesterday from the Coast en route to France.

•

SAM OSHRY, Universal-International sales manager in Atlanta, is in Hollywood from that city.

•

ALEX SCHIMEL, Universal-International salesman, has been transferred to New Haven from Cleveland.

Vigor and Money in 'Enchantment' Push

National magazine advertising expenditures of $300,000, numerous publicity "breaks" and a wide variety of other promotional devices are lending support to Samuel Goldwyn's latest, "Enchantment," which will open in New York and other cities on Christmas Day.

Lynn Farnol's press clippings include these: a feature in *Collier's*; "Picture of the Month," *Redbook;* page stills, Sunday *Times Magazine;* cover and inside feature, *This Week;* New York *Sunday Mirror* blurb suggesting more Academy Awards for Goldwyn; "Picture of the Month" in *Modern Screen* and *Silver Screen,* etc.

Farnol, who is advertising-publicity director of Goldwyn Productions, claims the "most ambitious" word-of-mouth publicity campaign for any Goldwyn film with 44 screenings for special groups. A Lord & Taylor Department Store tie-up features displays of a necklace of pearls and articles of apparel identified with the picture. Another is with W. J. Sloan, whose corner windows here will feature "Rooms of Enchantment."

Mayor of Binghamton Vetoes 5% Tax Bill

Mayor Walker Lounsbery of Binghamton, N. Y., informed Theatre Owners of America here yesterday that he has vetoed the five per cent city amusement tax recently passed by the Binghamton City Council.

The measure was sent back to the Council which will act on the Mayor's veto on Monday. It requires nine of the 13 Council votes to override the vote and it is believed the veto will be sustained, according to the TOA.

Members of the TOA, the Metropolitan Motion Picture Theatres Association, and the Independent Theatre Owners Association of New York all united in opposing the measure.

Rathvon's RKO Pact Settled for $66,000

N. Peter Rathvon, former president of RKO, who will terminate officially all ties with the company on Jan. 3, has settled his contract with RKO for $66,000, a company spokesman, indicated here yesterday.

Rathvon resigned the RKO presidency, to which Ned E. Depinet has since been elected, shortly after Howard Hughes acquired the controlling stock in the company.

Rogers Drawing Jan. 20

The drawing for prizes in the current Will Rogers Hospital drive will be held on Jan. 20 in the Hotel Astor here. The drawing, originally scheduled for late December, was postponed to increase returns.

Affirm Momand Rulings

BOSTON, Dec. 22. — U. S. Court of Appeals in Boston has affirmed the judgment in the A. B. Momand vs. Universal Film Exchanges *et al* and the Universal *et al* vs. Momand cases.

Prohibit Imports of Product for Dollars

Paris, Dec. 19 (By Airmail). —Word reaching here from Lisbon indicates that Portugal has not suspended all imports, contrary to earlier reports, but, rather imports of films and other products calling for payment in dollars. American products are mostly affected.

Fleming, Associate of Drayton, Joins B-L

LONDON, Dec. 22.—Patrick Fleming, business associate of Harold Drayton, well-known City of London financier who has become chairman of the board of British-Lion, also has been named a B-L director. Drayton was named chairman following the recent resignation of Sir Alexander Korda's representatives on the board.

Gurian in AA-Mono. Post in Cincinnati

CINCINNATI, Dec. 22. — Milton H. Gurian, associated with the Allied Artists-Monogram branch office here for the past 10 years, has been appointed branch manager by George West who recently took over the company's Cincinnati franchise. West will make his headquarters here.

Toronto Variety Project

TORONTO, Dec. 22.—G. A. Drew, leader of the Progressive Conservative Party, yesterday laid the cornerstone of what will be the Toronto Vocational School for crippled children of this province, sparked by J. J. Fitzgibbons, president of Famous Players Canadian, and to be maintained by Toronto Variety Tent No. 28, of which Fitzgibbons is chief barker, through a campaign for $135,000.

Loew's Boston Gross Down

BOSTON, Dec. 22.—A drop in gross to $1,856,508 for the year ended Aug. 31, from a record $2,060,638 in 1948, is reported by Loew's Boston Theatres. Increased operating costs, combined with the drop in gross, brought the net down to $241,352, or $1.55 a share on 155,249 shares outstanding, from $291,095, or $1.88 a share, in 1947. About 79 per cent of the company's stock is owned by Loew's, Inc.

Renamed to AMPP Units

HOLLYWOOD, Dec. 22.—Robert M. W. Vogel has been reelected chairman of the Association of Motion Picture Producers' international committee, and Edward Schellhorn has been named chairman of the international publicity committee for 1949.

Rob Toronto Manager

TORONTO, Dec. 22.—An armed holdup man robbed Martin Simpson, manager of 20th Century Theatres' new Downtown Theatre here of $1,800 in the office of the theatre and then disappeared into the crowded street.

Coast Production Index Rises to 35

HOLLYWOOD, Dec. 22. — The production index rose to 35 from last week's 31. Nine films were launched, while five were completed.

Shooting started on "Hounded," Columbia; "Danger Street" (Falcon), Film Classics; "Murder in the Air" and "Outlaw Marshal," Monogram; "Rimfire" (Lippert), Screen Guild; "Come to the Stable" and "It Happens Every Spring," 20th Century-Fox; "The Daring Caballero" (Inter-Amer), United Artists; "And Baby Makes Three," Universal-International.

Shooting finished on "Night in Havana," Columbia; "Shamrock Hill" (Equity - Vinson), Eagle - Lion; "Amazon Quest" (Agay), Film Classics; "Gun Law Justice," Monogram; "Happy Times," Warner.

SGP Film Rated 'B' As Legion Reviews 18

Screen Guild's "Harpoon" has been given a "B" classification by the National Legion of Decency in its review of 18 pictures this week. Rated A-I were: "Adventures of Gallant Bess" and "An Old Fashioned Girl," both Eagle-Lion; "Command Decision," M-G-M; "Courtin' Trouble" and "Incident," both Monogram; "Loaded Pistols," Columbia; "S.O.S. Submarine," Screen Guild; "Whispering Smith," Paramount.

Classified A-II were: "Cover Up," United Artists; "Last of the Wild Horses" and "Thunder in the Pines," both Screen Guild; "Letter to Three Wives," "This Was a Woman" (Excelsior) and "Trouble Preferred," all 20th Century-Fox; "Macbeth," Republic; "The Strange Case of Mrs. Crane," Eagle-Lion; and "Words and Music," M-G-M.

Lockwood Backs Heritage

BOSTON, Dec. 22.—Arthur H. Lockwood, president of Theatre Owners Of America, announced here today that he has been requested by the American Heritage Foundation to enlist the aid of all theatres in Boston and vicinity to publicize the return to Boston, Jan. 3-7 of the "Freedom Train." Theatres are requested by Lockwood to show a one-minute trailer prior to the train's arrival.

AMPA Party Today

Another film star, Anne Jeffreys, has accepted an invitation to attend the annual Christmas party of the Associated Motion Picture Advertisers, which will start at noon today at the Brass Rail Restaurant here. Diana Barrymore and Robert Wilcox are among others who have indicated to AMPA president Max E. Youngstein that they will attend.

Van Upp Buys Story

HOLLYWOOD, Dec. 22.—For her first independent production Virginia Van Upp has purchased "Polveranera," Gines De La Torre novel concerning international amity. Miss Upp is now writing and producing "Life of Valentino" for Edward Small.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising, Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

The company that leads the industry on Motion Picture Herald's list of Boxoffice Champions and on Variety's Scoreboard of Hits also **LEADS THE INDUSTRY WITH THESE 3 ON FILM DAILY'S 10 BEST POLL!**

THE BEST PICTURE!



Gentleman's Agreement



Sitting Pretty



Call NORTHSIDE 777

. . . and your BEST current and coming attractions!

the Snake Pit





When My Baby Smiles At Me
TECHNICOLOR



ROAD HOUSE

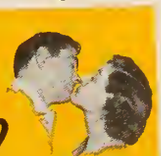




YELLOW SKY



That Wonderful URGE





"A Letter to Three Wives"

From the company of champions 20th **Century-Fox**

$380,000 Minimum For Video Station

WASHINGTON, Dec. 22. — National Association of Broadcasters estimates that the average minimum cost for building a Metropolitan television station, capable of handling network, film, remote and studio programs, is $380,000. This is the barest minimum, the NAB stressed, covering only the simplest transmitter and programming plants, with no offices.

The NAB declares that utilization of ultra-high frequencies is assured sooner or later, but that five to 10 years will probably have elapsed before setting of standards and manufacturing of equipment will permit commercial service in the upper band. It warns applicants for stations to bear this probable use of the upper band in mind, however, in determining capital requirements for a television investment.

The NAB says it is a "sobering fact" that even though not a penny of profit has been reported yet by a single television station, investors have continued to pour hundreds of thousands of dollars into new stations.

Video Set Making Hits a New High

WASHINGTON, Dec. 22.—Television set production continued to set new records in November, the Radio Manufacturers Association reports. RMA members turned out 122,304 sets during the month, compared to the previous high of 95,216, in October.

Production in the first 11 months of this year totaled 705,653 sets and RMA says that by the end of 1948 more than 1,000,000 receivers will have been produced this year.

FCC Rebuffs Pauley

WASHINGTON, Dec. 22. — Federal Communications Commission today gave Ed Pauley's Southern California Television Co. another setback in his attempts to keep Warner Brothers from acquiring the permit for television station KLAC-TV in Los Angeles from Dorothy Thackrey. The FCC has rejected several Pauley attemps to require Warner to give separate prices for the television station and two standard stations it plans to buy in a package deal from Mrs. Thackrey. Today the Commission turned down a separate bid from Pauley for the Los Angeles video station.

DuMont Acquires Plant

Allen B. DuMont Laboratories plans to establish one of the country's largest television assembly plants in East Paterson, N. J., at the former Wright Aeronautical plant which DuMont has acquired from the War Assets Administration. Together with its recently acquired plant in Clifton, N. J., the company plans to employ about 4,000 persons when the two plants are fully occupied.

Video Appears in Memphis

MEMPHIS, Dec. 22. — Television made its debut in Memphis with a six-hour program Saturday night and five hours Sunday night over station WMCT. A survey of all first runs and a spot check of neighborhood theatres showed no loss of business as a result.

Reviews

"Command Decision"

(*Metro-Goldwyn-Mayer*) *Hollywood, Dec. 22*

AN attraction loaded with names like Clark Gable, Walter Pidgeon, Van Johnson and Brian Donlevy and supporting players like Charles Bickford, John Hodiak and Edward Arnold is enough to give any exhibitor pause. Giving them a Broadway stage success like William Wister Haines' play is another asset of proportion. Placing the film destinies in the established hands of a producer like Sidney A. Franklin and a veteran director like Sam Wood is on the plus side, also. These combined assets ought to have been enough to send "Command Decision" over the finish line with a smack and a roar. They ought to, but do not.

It isn't that "Command Decision" is not good, for it is. Rather does it disappoint in the light of resources at hand. The conflict between Gable as the Air Corps brigadier who defies the upper echelons by waging a private war of his own is drawn in clear enough equations. His idea is to destroy three cities manufacturing jet planes for the Nazis on the assumption that it will delay production until the Allied powers can counter the threat.

Criss-crossing the path of this objective is high brass, represented principally by Walter Pidgeon who oscillates with expert uncertainty between Gable's strategy and Allied topkicks with their larger problems of integrating land, naval and air power into one coordinated fighting machine. But it gets so involved with what personal bids for credit and ribbons and the blustering patriotism of a visiting Congressional committee centered largely in Arnold that Bickford, the war correspondent, begins to wonder if the Allies are fighting the Germans or one another.

Eventually, Gable is removed from his command to be replaced by Donlevy who finally resolves his own inexperience by following the strategy of his predecessor. Thus, the Air Force wins its immediate objective and presumably makes it more comfortable for the foot soldiers to prepare their ultimate invasion of Germany.

This is interesting material which generally gets across its cynicisms, its cross-purposes, its dangers and the cruelty of sending fine young Americans to almost certain death. It is interesting essentially because the play had the ingredients and so, therefore, the film. Values might have been considerably enhanced if the principal performers in this all-male cast had given their roles dramatic depth, which they have not. Their acting is all-surface, variable in values and merely standard in the overall. Pidgeon is pompous and not very believable; Johnson walks in and out with little to do and little to do it with. Hodiak has what is practically a bit. But Marshall Thompson, in the lower echelons of cast credits, plays a slightly tipsy officer in a single scene with Donlevy and stands out.

The heroic exploits of Gable's intrepid command, moreover are talked about and never seen beyond takeoffs and landing shots. Audiences, thoroughly conditioned to see action and not have it described for them, may find this a new and unsatisfactory experience. The picture seems to prove this. There is an exciting and tense sequence of a damaged plane piloted to the runway by a bombardier acting on instructions from Gable in the control tower. The plane is landed, then explodes, bringing death to the inexperienced lad who deserved better luck. Coming early in "Command Decision," this is its dramatic apex, achieved in the traditional blending of action and dialogue—the visual and the oral—and never approached thereafter.

Associated with Franklin was Gottfried Reinhardt, both of them proceeding from a script by William R. Laidlaw and George Froeschel.

Running time, 113 minutes, which is too many. General audience classification. For mid-February release. RED KANN

"The Untamed Breed"

(*Columbia*)

SONNY TUFTS is the fighter for justice in this standard Western which is enhanced by Cinecolor. The story in structure varies little from others in the category, but it is brightened frequently by good fight scenes as well as a sequence involving the capture of a Brahma bull. There also are some helpful comedy and romantic angles.

The story has Tufts arriving in the Pecos country and immediately being thwarted by the townsfolk, especially the Keegan brothers, a sort of Marx Brothers trio who set out to foil him at every turn. He eventually wins the girl (Barbara Britton) from one of the brothers, captures the bull, which is the main target of the film, and gains the respect of the community. Tufts' acting is on the self-conscious side, and he is seemingly out-of-place in the proceedings. Support is adequate. The film was produced by Harry Joe Brown and was directed by Charles Lamont. The screenplay, by Eli Colter, was based on a *Saturday Evening Post* story by Eli Colter.

Running time, 74 minutes. General audience classification.

27 Millions Viewed Agriculture Films

WASHINGTON, Dec. 22.—More than 27,000,000 persons saw U. S. Department of Agriculture films during the 12 months ending June 30, 1948, according to a "conservative estimate" made by the Department.

Motion picture service chief Chester A. Lindstrom said that at the close of the year, there were 14,347 prints of 162 different subjects in circulation.

Slight Pittsburgh Raise

PITTSBURGH, Dec. 22.—At a meeting of downtown theatre managers held here it was agreed to raise admission prices on Jan. 1, the new prices to be 45, 60 and 80 cents, the former prices being 44, 60 and 76 cents.

Gross Signs with RKO

HOLLYWOOD, Dec. 22.—Jack Gross, who has been with RKO Radio since 1944, has signed a new seven-year producer's pact with the company.

Short Subjects

"Watchdogs of the Mail"

(*March of Time-20th Century-Fox*)

The latest issue of March of Time tells the story behind the largest retail business in the world, the United States Post Office. After outlining all of the ramifications of this sprawling enterprise, the subject becomes an exciting cops-and-robbers story as it shows in detail the sleuthing activities of the Postal Inspectors. These "watchdogs of the mail" are experts in tracking down those who use the mails unlawfully. A highlight of the subject shows the inspectors at work throwing a net around one such criminal.

The subject is a lively and exciting one and should enhance any program. Running time, 18 minutes.

"Girls In White"

(*RKO Radio—This Is America*)

The story of one of the most hard-working and most needed professions —nursing—is told with maximum appeal in this subject. Spotlighting a typical American girl, Betty Burns, from the time she begins her hospital training until she is launched finally on her career as a full-fledged nurse, the camera wends its way into operating rooms, nurseries, clinics, public health agencies, and the like. By the time the fade-out arrives the audience is bound to have an even higher opinion of the nursing profession and a definite understanding of the difficulties and demands involved in its practice. Running time, 16 minutes.

Phil Isley Circuit Has Expansion Plans

DALLAS, Dec. 22.—Phil Isley Theatres will open two 1,600-seat houses in North Houston and Pasadena, a section of Houston, on May 1. The circuit operates four in Dallas, is interested in the Meralta, Culver City, Cal., and the Lankershim, North Hollywood, Cal., and currently is plaintiff in an anti-trust action on behalf of its Pickwood, Los Angeles, which alleges it is unable to obtain product.

Isley is president of Allied of Texas.

New Salt Lake First-Run

SALT LAKE CITY, Dec. 22.—Another downtown theatre will go first-run with the announcement that the Rialto will begin showing first-run pictures with the opening of "Every Girl Should Be Married" on Dec. 28. This is the second downtown house in six weeks to announce a first-run policy and to start bidding on key pictures. Last month the Lyric switched from reissues and third and fourth-run pictures to first runs.

ABC-Dunningcolor Deal

American Broadcasting has acquired the exclusive television license to the Dunning Animatic projector developed by Dunningcolor Corp. of Hollywood for use in producing video films and commercials.

Donald Brian, 73

Donald Brian, 73, stage and screen player, and a past-president of the Catholic Actors Guild, died yesterday of a heart ailment at his home in Great Neck, Long Island.

Music Rates Rise In Canada Jan. 1

Toronto, Dec. 22. — Following negotiations over many months between an exhibitors' committee and the Composers, Authors and Publishers Association of Canada, the advanced performing rights tariff will go into effect on Jan. 1 for all theatres in the Dominion for three years. The agreement is subject to the approval of the copyright appeal board at Ottawa, but this is considered to be a formality.

Based on seating capacity, the highest rate will be 20 cents per annum for theatres having 1,600 seats or more, the lowest fee of 10 cents per seat being applicable to theatres having a capacity of 499 or under. The seating capacity of drive-in theatres has been fixed as three times the maximum number of automobiles entering the park on any evening.

10 Variety Clubs Elect New Officers

Memphis and Omaha are among the 10 Variety Tents which have completed elections of new officers for 1949.

In Memphis Ed Williamson, branch manager for Warner, was re-elected chief barker. R. M. (Buster) Hammond was elected first assistant; Leonard Shea, second assistant; Bailes Prichard, property manager, and Herman Chrissman, dough guy. Named board members were: Williamson, Prichard, Hammond, Henry Hammond, Ben Bluestein, Earl Hartzog, Shea, Chrissman, Fordyce Keiser, R. V. Eagin and Tom Baldridge. Ex-officio members of the board are M. A. Lightman and Herb Kohn.

Meyer Stern will take over Jan. 1 as chief barker of the Omaha Variety Club, succeeding Frank Van Husan. Other officers are: M. G. Rogers, first assistant chief barker; Walter Creal, second assistant; Isadore Sokoloff, dough guy; Edward Shafton, property master; Joe E. Scott, Hymie Novitsky, Jack Renfro, Fred Fejfar, Edward Cohen and I. M. Weiner, canvasmen; Van Husan, national canvasman.

Hadassah to Entertain

M-G-M executive Max Wolff and Radio City Music Hall stage producer Russell Markert, co-chairmen of the Madison Square Garden entertainment which Hadassah, women's Zionist organization, will sponsor on Jan. 3, announce that a number of film stars have accepted invitations to appear in the show, among them Walter Abel, Eddie Albert, Margo, Bill Robinson and Bert Lytell.

RECEPTIONIST—
Western Style and Cute!

We are trying to place a young lady as RECEPTIONIST. She's fresh from Arizona, petite and personable, the kind of lass who's all around perfect for the Welcome job. Write Box 421, Motion Picture Daily, 1270 Sixth Ave., New York 20.

Reviews

"Mr. Perrin and Mr. Traill"

(J. Arthur Rank—Eagle-Lion)

EAGLE-LION's latest J. Arthur Rank import is commended to exhibitors who have detected in their patrons' tastes an appreciation of principled cinema artistry and craftsmanship. "Mr. Perrin and Mr. Traill" is not only a singularly fine British picture, it is a singularly fine picture—period. Produced by Alexander Galperson and directed by Lawrence Huntington with a commanding respect for the human values embodied in L. A. G. Strong's articulate script, based on the novel by Hugh Walpole, this Two Cities film about life in an English private school for boys invites very favorable comparison with the successful 1939 American production of "Goodbye, Mr. Chips."

Perrin and Traill are portrayed respectively by Marius Goring and David Farrar; they are bitter schoolmaster rivals. Newcomer teacher Farrar, a young vigorous former war ace, unwittingly excites in his middle-aged, pompous co-worker a bitter envy which ultimately explodes into hatred of the first magnitude. Goring's nature, it is apparent, is a projection of the martyrdom and frustration he and the other veteran teachers suffer at the hands of Banfield School's headmaster, the despotic, sadistic Moy-Thompson whom Raymond Huntley portrays with cold vigor. The rivalry, focussing mainly on school nurse Greta Gynt, who becomes Farrar's fiancee, plunges the two principals into the boiling drama of attempted murder. The picture ends on a surprise note of self-sacrifice.

Sterling, sensitive characterizations; superb camera work, particularly in the nostalgic examination of boyhood and boys, and the breathless beauty of the over-all drama incline one toward the belief that here is a "sleeper." It certainly deserves to be sold forcefully and intelligently.

Running time, 91 minutes. General audience classification. Release date, not set.

CHARLES L. FRANKE

"The Valiant Hombre"

(Krasne-United Artists)

AS the title implies, Duncan Renaldo as the Cisco Kid, makes a pretty valiant gentleman in this latest in the series being released by United Artists. Renaldo has all his customary courage and casualness as he goes about righting wrongs, with Leo Carrillo at his side as faithful Pancho. The story varies little from formula but it meets the requirements of its category.

Cisco embarks on his series of adventures when he learns about the sudden disappearance of a man who had discovered a gold lode in nearby territory. After some initial difficulties, Cisco finally gets to the bottom of the conspiracy and exposes a gambling hall owner as the culprit who had the man kidnapped in order to learn the location of the gold strike. In between there are the customary outbreaks of gunplay and fisticuffs.

Barbara Billingsley adds the feminine touch as the missing man's sister who at first suspects Cisco of wrong-doing. Philip N. Krasne was executive producer and Wallace Fox directed, from an original screenplay by Adele Buffington.

Running time, 60 minutes. General audience classification. For January release.

MANDEL HERBSTMAN

"Last of the Wild Horses"

(Screen Guild)

"LAST of the Wild Horses" is a colorful, intelligent study of the old West, presented in a style that should appeal to both adult and juvenile audiences. It ranks high in its category. Unlike many Western series the group from Lippert Productions breaks away from the routine in which this type of fare is usually presented. There is a competent cast headed by James Ellison, Mary Beth Hughes and Jane Frazee; there is beautiful outdoor photography in Sepiatone, shot in Oregon, and there is an interesting, swiftly-paced original screenplay by Jack Harvey.

Basically, the story is concerned with Ellison's attempts to disprove his guilt of a murder and at the same time uncover and expose the gang leader who is swindling local ranchers of their property. Miss Hughes, as Ellison's supporter, and Miss Frazee, as the daughter of a murdered rancher, provide the romantic interest by competing for the affections of Ellison. Douglas Dumbrille as the rancher eventually murdered; Reed Hadley as the gang leader; James Millican as the sheriff, and Olim Howland, aiding in the fight for justice and also lending the comedy support, all perform capably. Direction by Robert L. Lippert, who was also executive producer, is of the best. Carl K. Hittleman produced and Benjamin Cline directed the photography.

Running time, 83 minutes. General audience classification. For January release.

Essay on American Films

WASHINGTON, Dec. 22. — "The American Motion Picture" is one of a series of 16 "extended essays" dealing with various aspects of American civilization which the Library of Congress will sponsor in coming months. The study will run from 75,000 to 100,000 words.

Binney Joins Video Co.

Josh Binney, pioneer film director, has been named president of the newly formed Tele-Talent Pictures here.

Dutch Subsidizing

(Continued from page 1)

funds in the belief that "each Netherlands film shown here reduces the amount of foreign exchange needed to import films from abroad."

Shooting of both English and Dutch versions of "But Not in Vain" is almost completed at the Cinetone studios, Golden said, and release is expected early next year.

The Department also notes that Dutch exhibitors have been complaining of recent drops in attendance.

U. A. Studies

(Continued from page 1)

tance that United Artists undertake at once to provide financing for independent producers unable to obtain it under current bank requirements.

The directors' committee consists of Charles Schwartz, E. C. Mills and Vitalis Chalif. They are charged with devising a program of providing financing through the company for producers and of submitting such a program to Miss Pickford and Chaplin.

Among various proposals reportedly being studied by the committee to provide production financing are the sale of some of U.A.'s liquid assets, such as its stock interest in the British Odeon circuit, for which it has been offered $4,000,000; the establishment of new capital by the co-owners, and the exploration of possible mergers with other companies, presumably similar to that proposed to U.A. recently by Selznick Releasing Organization.

Sale of U.A.'s Odeon stock would necessitate production in England inasmuch as the proceeds could not be transferred to this country under present British government restrictions.

Indications are that the committee will have definite proposals ready within two weeks and will seek conferences with Miss Pickford and Chaplin around mid-January.

14 from M-G-M

(Continued from page 1)

"Command Decision" in February will be "Act of Violence" and "Sun Comes Up." For March there will be "The Bribe," "Force of Evil" and "Take Me Out to the Ball Game." April will bring "Little Women," "The Great Sinner" and "The Barkleys of Broadway," and May, "The Stratton Story" and "The Secret Garden."

Phila. Locals

(Continued from page 1)

arrived here from New York to assist in expanding the ranks of loyal B-100 members.

The petition filed by "IA" in Common Pleas Court here also asks the court to restrain Local 252 leaders from representing themselves as bargaining agents for theatrical service staff employes here.

Boston Variety Plans Dinner for Horan

BOSTON, Dec. 22. — George W. Horan, recently appointed Northeastern district manager for Warner, will be honored at a dinner here in January under the auspices of the local Variety Club.





U-I
wishes
U-all
a Merry
Christmas
and a
*Happy New Year**

*YOU-GOTTA-STAY-HAPPY DAYS AHEAD with these pictures . . .

You Gotta Stay Happy • Criss Cross • The Fighting O'Flynn
Family Honeymoon • The Life of Riley • Red Canyon (*Technicolor*)
. . . and more to come!

Universal International

A Merry, Merry Christmas To All

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64. NO. 122 NEW YORK, U.S.A., FRIDAY, DECEMBER 24, 1948 TEN CENTS

N. Y. Case Is Still 'in the Air': Myers

End of Partnerships Is Not Enough, He Warns

WASHINGTON, Dec. 23. — The New York Federal Court orders dissolving jointly-held theatres of 20th Century-Fox and Warner Brothers, and the announced agreement on Loew's, are characterized as "so far, so good," by Allied States Association general counsel Abram F. Myers. But, he warned that in his opinion, the most important aspects of the case are still in the air."

Myers said that the orders were "steps in the right direction, but that the crucial issues are still ahead." He claimed there never was any doubt on jointly-held theatres, since the U. S. Supreme Court had spoken clearly on this issue, but the big question is how the New York court will interpret the Supreme Court decision on divorcement and divestiture.

"There is some talk" of Paramount

(*Continued on page 3*)

Problem of Costs Persists: Balaban

Paramount is still confronted with the problem of trimming production costs to the level where a "wholesome relationship" with distribution revenues is established, president Barney Balaban informs stockholders in a message sent yesterday accompanying the fourth-quarter dividend payment of 50 cents per share.

"We are exerting every effort to create conditions which will form a foundation for continuously successful

(*Continued on page 3*)

Trust Suit Brings Breaks on Product

HOLLYWOOD, Dec. 23.—Phil Isley's Picwood Theatre, plaintiff in a $1,500,000 conspiracy-to-discriminate suit pending against the majors and Fox West Coast, will open on Christmas Day with M-G-M's "Three Musketeers," furnished to the house on a seven-day break in accompaniment

(*Continued on page 3*)

FOR THE RECORD

THE TOP-GROSSING PICTURES OF THE 1947-48 SEASON

Motion Picture Daily herewith lists alphabetically the top-grossing pictures in the 1947-48 season (September to September):

BACHELOR AND THE BOBBY SOXER (RKO Radio)
CASS TIMBERLANE (Metro-Goldwyn-Mayer)
GREEN DOLPHIN STREET (Metro-Goldwyn-Mayer)
LIFE WITH FATHER (Warner Brothers)
MOTHER WORE TIGHTS (20th Century-Fox)
ROAD TO RIO (Paramount Pictures)
UNCONQUERED (Paramount Pictures)

Reviews

"Adventures of Don Juan"

[*Warner Brothers*]
One for the Money

Hollywood, Dec. 23

THEY did not spare the horses, the rapiers or the budget on this one. "Adventures of Don Juan" is as opulent, as lush and as large-scale a show as Hollywood knows how to put together in fat or lean times. Moreover, it is fast-moving, exciting, amorous, intriguing, amusing, and it disports Errol Flynn in his 32nd starring role, which also is perhaps his best.

Don Juan, that gay and over-publicized Spanish blade whose name was enough to make feminine hearts forego their maidenly modesty, must have been quite a man. He is sufficient enough a guy in this version to break up marriages of state, knock off swordsmen in droves, engineer prison breaks with the aid of dramatic license and set a queen's pulse racing. He is enough of a one-man task force to save 17th Century Spain from the clutches of a medieval dictator who almost incites a war of attrition

(*Continued on page 4*)

"Portrait of Jennie"

[*SRO*]
Decidedly Worthwhile

Hollywood, Dec. 23

DISCRIMINATORY audiences have an experience awaiting them in "Portrait of Jennie," for here is an unusual motion picture, sensitively modulated in performance, delicately balanced in direction and vastly removed from the routine in subject matter.

These decided assets from a dramatic point of view, may prove otherwise in determining its commercial fate, however. "Jennie" is the kind of film not hitherto successful in the normal channels of distribution. It is the type of film which has great appeal for audiences of the "art" theatre where the perfunctory and the hidebound neither are expected nor condoned.

Experienced showmen will understand the score more quickly when they are told that this is a fantasy dealing with love, truth and faith. Based on a novel by Robert Nathan,

(*Continued on page 4*)

SRO and Korda In Reciprocal Exchange Deal

Each to Distribute, Keep Rentals of Other's Film

A unique deal by which Selznick Releasing Organization and Sir Alexander Korda apparently propose to overcome British-American marketing and monetary complications confronting them has been entered into by the two, based on an exchange of at least two pictures each.

Korda will take two Selznick pictures, retaining proceeds of their distribution in Britain, and Selznick takes two Korda pictures for distribution here, the dollar earnings being retained by him, it is reported.

Indications are that Selznick's "The Paradine Case" and Korda's "The Third Man" will be the first to be exchanged under the agreement. British Lion, distribution company with which Korda is associated, already has announced release of "Paradine" in London. "Third Man," with Joseph

(*Continued on page 3*)

Benny Sun. Program Lists Daily's Awards

Jack Benny will introduce his Sunday night show, Dec. 26, with a comedy byplay built around his selection by newspaper and magazine radio editors and critics as radio's Champion of Champions for 1948 top honor in MOTION PICTURE DAILY's 13th annual radio poll for *Fame*. Benny also was voted radio's No. 1 comedian in the poll, complete results of which were published Dec. 15.

Poll awards already have been

(*Continued on page 3*)

Scophony Trial Off; Consent Action Due

Federal Judge John C. Knox yesterday granted in U. S. District Court here a Department of Justice motion to take the Scophony anti-trust case off the trial calendar and put it on the motion calendar. The ruling is regarded as indicating that a consent decree will probably evolve.

The government's strategy in mak-

(*Continued on page 3*)

Personal Mention

GEORGE BURROWS, Allied-Artists-Monogram executive vice-president and treasurer, is here from Hollywood.

•

VINCENT E. PALMERI, former Connecticut exhibitor and now Universal-International general manager for Mexico and Lower California, is expected to spend the holidays in his home town of Bridgeport from his headquarters in Mexico City.

•

HOWARD R. PADOWITZ, formerly with Loew's Poli-New England Theatres in Hartford and New Haven, has joined the staff of Gordon Entertainment Bureau's Hartford booking office.

•

BOB KAUFMAN, 20th Century-Fox exploiteer in Connecticut, has been named an associate member of the International Association of Police Chiefs.

•

FORREST JUDD, Allied Artists-Monogram story editor, who has been granted a leave of absence from his post, is en route to India from the Coast.

•

WALT DISNEY will receive the "distinguished service award" from Purdue University at a dinner on Jan. 15. He will be the first American to receive the award.

•

SOL A. SCHWARTZ, RKO Theatres vice-president and general manager, and MRS. SCHWARTZ will leave here on Monday for Los Angeles.

•

DAVID FARRAR, British film star, is among the passengers who will sail tonight from New York for England on the *SS Queen Mary*.

•

SELMA COHEN of Loew's Poli in New Haven has become engaged to SIDNEY GIMPLE of that city.

•

TOM MCANDREWS has resigned as Republic salesman in New Haven.

House Group Attacks '4 A's' AGVA Control

WASHINGTON, Dec. 23.—A House labor sub-committee has attacked control by the Associated Actors and Artistes of America ("Four A's") of the American Guild of Variety Artists, claiming that AGVA had "beyond any question" violated the Taft-Hartley Law.

The sub-committee last fall investigated a complaint from the Philadelphia AGVA local. It now reports that AGVA and the Employers' Management Association violated the law by imposing a closed shop on agents licensed by AGVA.

The report declared that the "Four A's" took over operation of national AGVA "in an illegal manner" in 1942, returned autonomy to the organization in 1946, but again appointed an executive committee in 1947 to run AGVA in a manner that was "arbitrary and without proper legal formalities."

Phila., N.O. Strong For 'Joan of Arc'

"Joan of Arc" in first engagements outside of New York City opened Wednesday at the Carlton, Philadelphia, and the Orpheum, New Orleans, to what RKO officials describe as "phenomenal" pre-holiday business.

AMPA Heralds Yule With Holiday Party

Associated Motion Picture Advertisers yesterday heralded the approach of Christmas with a yuletide luncheon-party at the Brass Rail here. Some 200 members and guests attended.

AMPA president Max E. Youngstein, who shared the dais microphone with film actress Anne Jeffreys and comedian Benny Rubin, reported that the organization has made progress toward its financial and membership goals. He urged that a new membership drive be started now. Also seated at the speakers' table were AMPA officers Harry McWilliams and Evelyn Koleman.

Rubin officiated in the distribution of some 150 Christmas presents to holders of lucky door tickets. The gifts were donated by distributors, advertising agencies, supply houses, legal firms, laboratories, and many other organizations in the industry.

All Home Offices to Close at One O'Clock Today for Yule

All film home offices, the Motion Picture Association of America, and other places will close today at one P.M., for Christmas. Among companies holding parties are Eagle-Lion, Paramount, Republic, 20th Century-Fox, Warner and Film Classics.

Walsh Is Named to Political League

Richard F. Walsh, IATSE president, has been named to a five-man committee which will supervise changes in the by-laws of Labor's League for Political Education. Also named to the group were: William Green, AFL president; George Meany, AFL secretary-treasurer; Harry C. Bates, president of the Bricklayers' Union, and W. C. Birthright, president of the Barbers' Union.

Proposed changes in the by-laws will permit the League to accept 10-cent contributions from AFL members to finance a 14-month political education drive.

Teleconcert Formed

Teleconcert, Inc., has been formed here by Henri Leiser, film producer, with Leopold Stokowski to produce and distribute musical films for television, regular motion picture theatres presentation and in 16mm. for the home. Leiser, known in international musical circles and in theatrical production, is executive vice-president of Teleconcert.

Navy Ends Capital Film Competition

WASHINGTON, Dec. 23.—Any exhibitors having specific complaints of unfair competition from Army or Navy theatres were invited today to forward them to A. Julian Brylawski, head of the local Theatre Owners Association.

Brylawski promised to take them up with the proper military authorities and get as speedy action as Washington exhibitors got after a local complaint.

"But they must be specific, not just general gripes," Brylawski said.

He met here yesterday with top Navy motion picture division officials, who promised to set things right in the Washington naval zone. Local theatre-owner Sidney Lust has been protesting strongly over competition from the Bethesda Naval Hospital Theatre, and Brylawski said Navy officials have called in all top commanders in the Washington zone and briefed them on the civilian admissions policy. They also plan to send out inspectors at periodic intervals to check on how the policy is being carried out. "Everyone is anxious to get these things straightened out," Brylawski said.

Johnston Turns Down Debate with Arnall

WASHINGTON, Dec. 23. — Eric Johnston, Motion Picture Association of America president, has served notice that he will not engage in any public debate with Ellis Arnall, new president of the Society of Independent Motion Picture Producers, on the conditions in the film industry. Instead, Johnson has called upon Arnall to stop "throwing brickbats" at the industry and work for "a bigger box-office," it was disclosed here today by Joyce O'Hara, Johnston's executive assistant.

The MPAA head made his position known on the debate in a letter to America's Town Meeting of the Air. Arnall had challenged Johnston to argue on monopoly in the industry as he assumed the SIMPP presidency, and subsequently requested time for a debate on the "Town Meeting" program.

Arnall Plans to Discuss Radio Invitation Further

NEWMAN, Ga., Dec. 23.—Ellis Arnall, president of the Society of Independent Motion Picture Producers, said here today he will go to New York after the holidays to discuss further an invitation to debate the condition of the film industry on America's Town Meeting of the Air. He was apprised of Eric Johnston's rejection of an invitation to appear on the program in a telegram from Elizabeth Colcough, program director of "Town Meeting."

New Line of Ads, Etc.

Masterpiece Productions, headed by Jules Weill, will handle reissue distribution of "Stagecoach" and "The Long Voyage Home," with a new line of advertisements, posters and accessories for both.

RADIO CITY MUSIC HALL
Rockefeller Center
"WORDS AND MUSIC"
JUNE ALLYSON • PERRY COMO
JUDY GARLAND • LENA HORNE
GENE KELLY • MICKEY ROONEY
ANN SOTHERN
Color by TECHNICOLOR
A Metro-Goldwyn-Mayer Picture
THE GREAT CHRISTMAS STAGE SHOW

Cary Grant in Every Girl Should Be Married
IN PERSON BURT LANCASTER & Others
CAPITOL B'way & 51st Street

DARRYL F. ZANUCK presents
OLIVIA de HAVILLAND
the Snake Pit
Directed by ANATOLE LITVAK • Produced by ANATOLE LITVAK & ROBERT BASSLER
20th CENTURY FOX
RIVOLI B'way & 49th Street

The Paleface
Color by Technicolor
starring Bob HOPE Jane RUSSELL
A Paramount Picture
IN PERSON BENNY GOODMAN And His Orchestra featuring BUDDY GRECO plus PETRO BROS BUDDY LESTER
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

J. Arthur Rank presents
"THE RED SHOES"
Color by Technicolor
BIJOU THEATER, 45th Street West of Broadway
All Seats Reserved, Mail Orders
Twice Daily
Extra Matinees Saturday and Sunday
Late Show Saturday Evening 11:30
An EAGLE LION FILM Release

TOO BIG FOR ONE THEATRE
JOAN OF ARC
starring INGRID BERGMAN
A VICTOR FLEMING PRODUCTION
COLOR BY TECHNICOLOR
CAST OF THOUSANDS with JOSE FERRER
FRANCIS L. SULLIVAN • J. CARROL NAISH
WARD BOND • SHEPPERD STRUDWICK • HURD HATFIELD • GENE LOCKHART • JOHN EMERY
GEORGE COULOURIS • JOHN IRELAND and CECIL KELLAWAY • based upon the stage play 'Joan of Lorraine' by MAXWELL ANDERSON
Screen Play by MAXWELL ANDERSON and ANDREW SOLT • Art Direction by RICHARD DAY
Director of Photography, JOSEPH VALENTINE, A.S.C.
Produced by WALTER WANGER
Directed by VICTOR FLEMING
presented by SIERRA PICTURES, Inc.
released by RKO RADIO PICTURES
CONTINUOUS AT THE VICTORIA B'WAY at 46th St. 7 SHOWS DAILY
RESERVED SEATS AT THE FULTON 46th ST. W. of B'WAY MATS. $1.80 EVES. $2.40

TYRONE POWER GENE TIERNEY
"THAT WONDERFUL URGE"
A Twentieth Century - Fox Picture
ON THE ICE STAGE
BARBARA ANN SCOTT
In Winter Carnival
ON STAGE—Ming & Ling—
Harold Barnes—Gordon Goodman
ROXY 7th Ave. & 50th St.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street. Editorial and Advertising. Urben Farley. Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington. D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

Reviews

"Bad Men of Tombstone"

(*Allied Artists*)

SKILL and realism keynote this King Brothers' production which offers a grim account of the lives and deaths of five bad men of the Old West. It belongs in the top bracket of gun shootin' entertainment.

Singularly, this is due in large part to the King Brothers having given their principal characters brains as well as brawn, intelligence as well as hard courage, with the result that their motives are never in doubt, and the relation of cause to effect is utterly clear throughout. The story, which is rounded out with a neat use of irony, consequently packs more power than a mere count of the innumerable bullets fired and killings accomplished would indicate. It is a very solid picture, expertly directed by Kurt Neumann and admirably enacted by Barry Sullivan, Broderick Crawford, Fortunio Bonanova, Quinn Williams, Marjorie Reynolds and a large supporting cast.

The screenplay, by Philip Yordan and Arthur Strawn, based on Jay Monaghan's "Last of the Bad Men," opens with the arrival of Sullivan, a cool killer, in Leadville in 1851. Low in funds, he tries a robbery, is caught, and meets Crawford, a likewise brainy outlaw, in a jail cell from which they are shortly rescued by Crawford's three pals. Sullivan joins the Crawford gang, which successfully conducts a long series of stage, train and bank holdups, and breaks up, under pursuit, to meet again in the still lawless Tombstone. Here Sullivan, having married Miss Reynolds meanwhile, finally comes to the parting of the ways with Crawford, whom he kills to gain possession of the loot accumulated by the gang. Having thus succeeded completely in his quest for riches, at the cost of many lives, he is shot down by the townsmen for having in his possession a horse which he does not even know has been stolen.

It is a directly told story, clear in outline, strong in treatment, remarkably realistic and never even momentarily dull. It should take very good care of itself in any area of exhibition.

Running time, 75 minutes. General audience classification. Release date Nov. 15.

"The Denver Kid"

(*Republic*)

ALLAN (ROCKY) LANE, in another of his series of Westerns, portrays a border patrol member set on tracking down the killer of his partner and friend. A standard Western, it has the usual amount of gunplay and hard riding.

With Gordon Kay as associate producer, and under the direction of Philip Ford, the story has Lane using the assumed name of "Denver" and posing as a cold-hearted outlaw so that he may work his way into the gang controlling the town of Cemetery Ridge. By employing his ingenuity he wins the the boss bandit's favor then sets out to gather the evidence to prove the boss killed his friend. After 60 minutes his mission is successful and he rides off to further adventures. The original screenplay was written by Bob Williams.

Running time, 60 minutes. General audience classification.

Benjamin, Selznick to Weigh EL-SRO Deal

Robert S. Benjamin, Eagle-Lion board member, left here yesterday for Hollywood to confer with David O. Selznick on the proposed deal under which E-L would take over such current Selznick releases as "Duel in the Sun" and "The Paradine Case" and some nine Selznick reissues. Selznick Releasing Organization intends to retain its recently-completed "Portrait of Jennie" for release through its own facilities.

Announce Academy Nominations Feb. 14

HOLLYWOOD, Dec 23. — The Academy of Motion Picture Arts and Sciences reports that nominations for the annual awards will be made known on Feb. 14, on the basis of ballots distributed to the membership on Jan. 12, returnable on Jan. 29. Final balloting will take place on March 1-15, and awards presentations are to be made on March 24 at the Warner studio lot.

Beat 'Champion' Budget

Screen Plays has completed "Champion," for United Artists release, at a cost of $595,200 on a 24-day shooting schedule, compared with an original budget of $750,000 and 36 shooting days, it is disclosed here by Myer P. Beck, representing Screen Plays.

Selznick - Korda

(*Continued from page* 1)

Cotten, Valli and Orson Welles, is now being produced by Carol Reed from a Graham Greene story. Selznick's SRO will have Western Hemisphere distribution rights.

Both Selznick's and Korda's New York offices disclaimed knowledge of details of the agreement but speculation on the second pictures involved centered around Selznick's "Portrait of Jennie" and Korda's "The Eye Witness," formerly "Lost Illusion."

It has been indicated that the British Treasury has approved the arrangement.

RMA to Mark 25th Year

WASHINGTON, Dec. 23. — Twenty-fifth anniversary celebration of the Radio Manufacturers Association will be held at the Stevens Hotel, Chicago, May 16-20, coincident with an annual trade show. Joining in the RMA tribute will be the Electronic Parts and Equipment Manufacturers Association of Chicago, Eastern Sales Managers Club, West Coast Electronic Manufacturers Association, and the National Electronic Distributors.

Appoint Publicity Firm

Public Relations Affiliates of New York has been retained to handle all phases of publicity, exploitation and merchandising for Laurel Films, Inc., whose first film, "Custom's Affair," will go into production here Jan. 12.

Average U.S. Owner Profits 6% a Year

The average U. S. exhibitor makes only a six per cent profit on the pictures he shows over the year, according to an article in *Parade Magazine* dealing with the business "headaches" and satisfactions of Boonton, N. J., exhibitor Edward Lachman who is deserved as a "typical small-town exhibitor." Lachman is also president of the Allied Theatre Owners of New Jersey.

Balaban on Costs

(*Continued from page* 1)

operations in that field," he adds. Theatre income is "relatively good" and the company's television activities are "progressing satisfactorily," Balaban said.

Although the letter to stockholders was sent yesterday, it is dated Dec. 18, prior to the resumption of hearings in the anti-trust case at which Paramount declared it was "prepared to terminate" partnership operations involving over 500 theatres.

Commenting on the case, Balaban intimated the possibility of a settlement with the government. He said: "We have been giving extensive study to the problems presented by this litigation and, as part of this, we have had discussions with the Department of Justice. We have arrived at no final conclusions. When we do, we will advise you of them as promptly as possible."

Scophony Case

(*Continued from page* 1)

ing the motion was to isolate Scophony by later entering consent judgments with General Precision Equipment and Television Productions, the other major defendants; to have Scophony, Ltd., held in default, and then, if no consent decree is forthcoming from Scophony Corp. of America, to move for summary judgment on the pleadings, without trial.

Scophony opposed the motion, not wanting to be left to fight the case alone and also desiring some trial proceedings.

Breaks on Product

(*Continued from page* 1)

with an M-G-M open offer to permit the Picwood to bid against the Fox Wilshire. The M-G-M offer was accompanied by a request for dismissal from the suit, but this has been refused.

Federal Judge Campbell Beaumont said he will rule on Jan. 7 or before on Isley's petition for a temporary injunction to restrain distributors from denying the Picwood first-run films.

UA has also made a seven-day break offer.

Case 'In the Air'

(*Continued from page* 1)

retaining some theatres, the Allied official said, but if the circuit of retained theatres were owned by the film company, "the whole case is defeated. If it is owned by a separate company, with different officers, something like the RKO deal, that may or may not be good, depending on the safeguards."

CBS Will Use Films As Video Background

CBS-TV will adapt a long-established Hollywood technique tonight with the telecast of a 90-minute studio show which will use motion picture scenes as background.

Rear projection of scenes of Central Park will be used on a specially-designed 14-by-17-foot screen while in the foreground Anne Jeffreys, seated in a prop hansom, will sing two numbers.

This marks the first time video will use motion pictures as a back-drop, according to CBS. The system was developed by John DeMott, CBS-TV production manager. The program tonight will be "Surprise from Santa," produced by Arthur Schwartz and sponsored by Chevrolet dealers.

Goldwyn Sees Video Benefiting Industry

Television will prove a benefit to the motion picture industry, in the opinion of Samuel Goldwyn. He made this assertion yesterday on a transcribed radio broadcast over station WNBC here.

"I welcome television as a great contribution to the screen, the home and the technique of story telling," Goldwyn said. It may cause people to stay away from bad motion pictures, he declared, "but they will go to the good ones."

Benny Sun. Program

(*Continued from page* 1)

acknowledged on the air by Dinah Shore, voted Best Female Popular Vocalist, and on the Suspense program, voted Best Mystery Show.

Groucho Marx, whose program "You Bet Your Life" was voted Best Quiz Show by the critics, will pay his respects to their discerning taste at 9:30 P.M. next Wednesday night. Bing Crosby, only performer to be voted three first places in this year's poll, is including acknowledgements of the honors in his platters now being made for broadcasts around Feb. 1.

Similar acknowledgements are in work by other first-place winners in the 1948 poll. Presentation of the Best Sportscaster scroll to Bill Stern will be aired on his Jan. 21 broadcast.

Benny's Sunday night program is his last before his switchover to CBS on Jan. 2. His poll honors were voted on the basis of his performance on NBC during the past year and, hence, his recognition of the awards is being made on that network.

$274,983 for Video Fund

CHICAGO, Dec. 23. — Net assets of Television Fund, Inc., on Oct. 31, after two months of operation, were $274,983, equal to $9.12 a share, Chester D. Tripp, president, discloses in his first annual report to stockholders. The company's portfolio had a market value of $169,626, representing common stocks of 24 different companies in television. Television Fund invests in the television industry.

Shane Sets Next Film

Producer-director-writer Maxwell Shane has set June 13 as the starting date for filming of "The Salem Frigate," following conferences here with his partner, Maxwell Geffen, with whom he is associated in Geffen-Shane Productions which will make the picture for U-I release.

"Adventures of Don Juan"

(Continued from page 1)

against Elizabeth of England, but who dies a fitting, if spectacular death, at the receiving end of Don Juan's doughty dagger.

Juan, which is to say Flynn, by this time has Viveca Lindfors, the Spanish queen, in a romantic dither, but a queen's a queen despite all that. The fabulous swordsman-lover foregoes his native land, emotionally crushed, but only long enough to spy an attractive gal Barcelona-bound. With the greatest of ease, Flynn stages a mighty recovery and is off to the romantic races all over again as the picture closes.

He is very good in the title role, particularly when he essays the vaunted lover with tongue in cheek. Miss Lindfors is regal enough, and quite vigorous about it, too. Romney Brent is amusing as the weak-kneed Spanish king and Alan Hale gives his accustomed effective assist, but the best-rounded and most substantial acting job comes from Robert Douglas as the evil-planning nobleman seeking to wrest royal power.

The sweep, panoply and production investiture evidenced throughout the attraction are impressive to the hilt. The sets are high, wide and handsome and a magnificent backdrop for flaming tapestries, tingling sword-play and Flynn's Fairbanks-like gymnastics.

There is never any doubt about the way it is going. The hero is a hero, the villain noticeably black and dastardly, the women beautiful. But the idea behind this show is to entertain, not to edify, and it is noteworthy that the purpose is met in exceedingly generous proportions.

Vincent Sherman directed with a fine eye toward the box-office for showwise producer Jerry Wald, from a script by George Oppenheimer and Harry Kurnitz, who worked from a story by Herbert Dalmas.

Running time, 103 minutes. General audience classification. Release date, Jan. 29.

RED KANN

"Portrait of Jennie"

(Continued from page 1)

"Jennie" is about Jennifer Jones, a girl whom the established facts, such as they are, prove to have been long dead.

Joseph Cotten, a struggling artist seeking blindly to find himself, sees her one day in Central Park. She appears, disappears and re-appears on no fixed schedule, each time older and finally of sufficient age to make the romance with Cotten less disproportionate. It takes time for him to overcome the confusion of the mystery, but he does by final acceptance of a state of affairs which he no longer wants to challenge.

Miss Jones is very much alive to him if to no one else. She provides him the inspiration for which he has been groping so that he paints the portrait of Jennie which establishes his renown. In his mind, and, of course, on the screen, he and the girl re-live many nostalgic and haunting episodes. Finally, he loses her in a re-occurence of the violent storm and tidal wave which the uncertain facts maintain were responsible for her death years earlier. Because the memories persist, Cotten is happy and content.

The figment of delicate and elusive imagination is the cornerstone. Even the spoken foreword puts it up to the audience to decide whether what it sees ever happened. This places the burden of acceptance or rejection squarely in the hands of those who buy the tickets. Realists will reject it entirely. Romanticists, especially women, are more likely to accept it.

In equations of performance, however, there is little at issue. Miss Jones is excellent in a difficult role, suggesting the ethereal quality which the part demands. Cotten, too, is first-rate and so, also, are such supporting players as Ethel Barrymore, David Wayne, Albert Sharpe, Cecil Kellaway, Lillian Gish, and others.

William Dieterle's direction of gossamer material is superior. Technical accomplishments in the highlight photography necessary to establish mood and, finally, excitement in the impressive storm sequence which was accelerated at the preview by employing a large screen and special speakers are noteworthy.

Paul Osborn and Peter Berneis wrote the screenplay and David Hempstead served as associate producer for David O. Selznick. The music score, written and conducted by Dimitri Tiomkin, from the works of Claude Debussy, is tenderly infectious and significant to the whole.

Running time, 94 minutes. General audience classification. Release date, not set.

K.

"Monsieur Vincent"

(Lopert Films)

"MONSIEUR VINCENT," the story of a humble 17th century French priest who devoted his life to help the poor and the sick, is a film of high calibre and artistic merit.

Produced by E.D.I.C. and directed with care by Maurice Cloche, it is a tender, poignant story of a man's devotion to a cause of desperate urgency. Pierre Fresnay gives a magnificent performance as St. Vincent de Paul, a portrayal which undoubtedly had much to do with the film's winning the Grand Prix du Cinema Francais, France's highest film honor. He gives the figure of the priest dignity, a fine sense of humor and the moral strength which underlines the story with stark realism, especially in the scenes where the squalor of hospitals is shown. This is a natural not only for the art theatres but, since its message is all-embracing and by no means sectarian, it is acceptable and recommended for most houses. Jean Anouilh, who wrote the script, did an outstanding job, keeping it simple and yet intense and moving. Films like this should go a long way in furthering the acceptability of French product on the American market.

Running time, 102 minutes. General audience classification.

Student Attendance At Theatres Is High

More than 67 per cent of junior and senior high school students attend film theatres at least once every seven days, according to the Institute of Student Opinion. Approximately 10 per cent attend three or more times in that period; 19 per cent attend twice, and 39 per cent once. Balloting of 79,755 students was conducted by the 1,600 high school newspaper-members of the Institute.

The students were divided as to the most important factor influencing their choice of features to see. The highest percentage, 19.10, said they "just went" for no particular reason. This group was closely followed by those who said they went because they read about the picture in a magazine (18.46 per cent) and those who heard their school friends talk about a picture (16.33 per cent).

New Odeon Unit in Public Bond Issue

TORONTO, Dec. 23.—For the first time Canadian Odeon interests are making a public offering of bonds in a new issue of $2,500,000 first mortgage debentures bearing four and one-half per cent interest, it was announced today. The issue is for a company known as Odeon, Ltd., which operates 10 new theatres in Toronto and other Ontario cities and is completing an office building here. Odeon, Ltd., is a subsidiary of Odeon Theatres of Canada.

2 More Odeon Houses Open

TORONTO, Dec. 23. — Two more Odeon theatres have been opened in Ontario for Christmas, one at Brantford, the other at St. Thomas, thus completing the year's construction program of the circuit. Several additional houses are being readied for opening within the next two months, including the Humber here.

FP-C Drops Dividend 'Bonus' for Building

TORONTO, Dec. 23.—Famous Players Canadian will not declare an extra dividend for 1948 because of the company's construction program, J. J. Fitzgibbons, president, has declared in a statement to shareholders. The company opened 15 new houses this year and is proceeding with the remodelling of existing theatres along with replacement of considerable equipment. Last year a 50-cent bonus was distributed among shareholders in addition to the $1 dividend.

Juvenile Library in Canada Next Month

TORONTO, Dec. 23. — The Children's Film Library will start in Canada next month with prints of 18 approved features made available for nominal rental by theatres from film distributors across the Dominion with the exception of Quebec.

The library is a counterpart of the department of the Motion Picture Association of America.

Variety Tents in 8 Cities Elect Chiefs

Officers elected by eight more Variety tents—in Cleveland, Toronto, Detroit, Columbus, New Haven, Chicago, Boston and Philadelphia — have been announced.

I. J. Schmertz has been elected chief barker of Variety Club, Tent No. 6, Cleveland, to succeed Milton A. Mooney. Other officers are: first assistant, Irwin Shenker; second assistant, Jerry Wechsler; secretary, E. J. Stutz; treasurer, Lou Ratener.

Re-elected to the executive committee of Toronto Variety Club were: J. J. Fitzgibbons, Morris Stein, Jack Chisholm, Ben Freedman, Hye Bossin, Ben Geldsaler and Dave Griesdorf. Newcomers on the board are: Herbert Allen, Ernie Rawley, Connie Smythe and William Summerville.

Detroit Tent No. 5 elected Ed Stuckey, chief barker; Lou Mitchell, first assistant; Jack Zide, second assistant; Irving Goldberg, property master; Del Ritter, dough guy; Charles Snyder, national canvassmen; Art Robinson, alternate canvassman, and the following crew members: Joe Lee, Sam Seplowin, Ralph Raskin, Earl Hudson, Lew Wisper and Charles Perry.

John L. Barcroft is the new chief barker of the Columbus Variety Club, Tent No. 2. Other officers are: Ralph I. Shifiet, first assistant; Ben Cowell, second assistant; Arthur Robinson, secretary; Milton Staub, treasurer. Members of the board of directors include: Virgil Jackson, Leo Yassenoff, William Pullin, Jr., Leo Kessel and U. G. Hazelton.

In New Haven, Lou Brown has been elected chief barker of Variety Tent No. 31. Other officers are: George H. Wilkinson, Jr., first assistant chief barker; Ben Simon, second assistant; Harry Rosenblatt, dough guy; Hugh Maguire, property man. In addition to the officers, the new board includes Harry F. Shaw, Herman M. Levy, William Brown, Arthur Greenfield and A. J. Mattes. Robert Elliano and Greenfield were named delegates to the annual Variety convention, with Simon and Lou Brown as alternates.

At the annual election of Chicago Variety, Tent No. 26, the following were elected: Henry Elman, chief barker: Irving Mandel, first assistant; Nat Nathanson, second assistant; James Booth, property master; Van A. Nomikos, sergeant-at-arms; Walter Immerman, national canvassman.

Newly-elected trustees of the Boston Variety Club are: Walter Brown, Max Levinson, Phillip Smith, Murray Weiss, Ben Williams, Martin J. Mullin, Albert M. Kane, Theodore Fleischer and Arnold Van Leer.

Tent No. 13, Variety Club of Philadelphia, will honor retiring chief barker Mike Felt and newly-elected chief barker Edward Emanuel, at a dinner to be held on Jan. 10 at the Bellevue-Stratford Hotel in that city.

$15,900 to D. C. Charities

WASHINGTON, Dec. 23.—Checks totaling $15,900 were presented to five Washington welfare organizations here today by Variety Tent No. 11. Largest check was for $10,400, given to Children's Hospital, representing the final payment of a $31,200 pledge made by Variety to the hospital's building fund. During the year the local tent earmarked a total of $55,000 for various charities.

Accurate Concise and Impartial

MOTION DAILY

FIRST IN FILM NEWS

VOL. 64. NO. 123 NEW YORK, U.S.A., MONDAY, DECEMBER 27, 1948 TEN CENTS

MOTION PICTURE DAILY
AMERICA, INC. (CHANGE NOT
28 WEST 44TH ST.,
NEW YORK 18,
N. Y.
FILE COPY
DO NOT

U-I to Make 28 Next Year Blumberg Says

Increase of Four; No Low-Budgeters on List

HOLLYWOOD, Dec. 26.—Universal-International will release at least 28 top-budget features during 1949, an increase of four over previous plans, Nate Blumberg, president, announced on Friday. U-I is limiting its production to top features only, Blumberg said; the company is not planning to produce any low-budget pictures during 1949.



Nate Blumberg

Since his arrival from New York a week ago, Blumberg has gone over the schedule with U-I production heads Leo Spitz and William Goetz and has

(*Continued on page 4*)

Rule Elections At 10 Studios

WASHINGTON, Dec. 26.—The National Labor Relations Board has ordered two separate elections among two groups of 10 studio workers in another attempt to bring some order into the Hollywood labor picture.

A three-man board directed the Los Angeles regional director to hold elections within 30 days to determine (1) whether all machinists employed at California studios want to be repre-

(*Continued on page 2*)

Bergman and Crosby Top Rural 'Fan' Poll

Ingrid Bergman and Bing Crosby for the third successive year were voted the favorite stars of rural theatre-goers in the sixth annual Rural Motion Picture Poll conducted by *Country Gentleman*. June Allyson placed second among the female stars with a slight lead over Irene Dunne.

(*Continued on page 2*)

Report Agreement To Settle Second Jackson Park Suit

CHICAGO, Dec. 26.—Settlement of $450,000 has been agreed upon, although not finalized, between Thomas McConnell, representing the Jackson Park Theatre, and all defendants, involving full payment of the Jackson Park's supplemental damage suit which has been pending since 1942, it was learned here from an authoritative source. The reported settlement also includes the $100,000 appeal bond that has been posted in the U. S. District Court here.

It is also understood that in addition to the monetary settlement—which involved considerably more money that the $360,000 awarded the plaintiff in its first damage suit—certain modifications of the Jackson Park decree may be adopted primarily to permit defendant Loop theatres extended playing time on important productions.

See March Meet on RKO Divorcement

Huge amount of paper work necessary to prepare the divorcement of RKO production-distribution from theatre operations simply as a proposal to be placed before the company's stockholders for their approval remains to be done, company officials said here.

Present indications are that, in consequence, the proposal will not be ready for a meeting of RKO stockholders for another two months or more, with the earliest possibility being an early March meeting.

Under the agreement entered into by RKO with the government, the company has a year from last Nov. 15 in which to effect the divorcement.

Hoffman Sees Films A Recovery Aid

Washington, Dec. 26.—Economic Cooperation Administration head Paul G. Hoffman said yesterday that he regards distribution of American films and other informational media in the free nations of Western Europe "an important step in furthering the overall European recovery program."

Hoffman made the statement in announcing an informational media guarantee to the *New York Herald Tribune*. This was the second informational media guarantee made by ECA—the first was to MPEA of Germany.

Organizing Drive Set for Salesmen

The Colosseum of Motion Picture Salesmen of America, which has a membership of approximately 1,000 U. S. film salesmen and union contracts with distributors, is "on the march" in terms of organizing activity, it was revealed here by David Beznor, Colosseum attorney and director of the independent union's organizing work. Beznor recently visited New York from Milwaukee, his base of operations.

Now holding wages-and-hours contracts, which also provide for on-the-road and automobile expenses, with Columbia, Eagle-Lion, Loew's, Monogram, Paramount, RKO Radio, Republic, 20th-Fox, United Artists, Universal-International and Warners, the union is preparing to conclude next similar pacts with Film Classics, Monogram franchise holders and other state-right franchisers, Beznor said.

B. of T., Hoping 45% Quota Will Work, Silent on 60%

LONDON, Dec. 26.—Board of Trade officials here, far from echoing suggestions in trade-union and other quarters for a 60 per cent quota next year, are far more concerned whether exhibitors will find enough worthwhile features at the present rate of production to meet the present 45 per cent quota.

Moreover, any alteration in the present quota rate will require debate and authorization in both houses of Parliament before next March.

Analysis of the now-issued Quota Relief list confirms the view that officials themselves are not highly enamoured of the 45 per cent quota. Some 1,327 theatres have been awarded varying degrees of relief with 305 given complete exemption. Other applications for relief are still under consideration.

Complete breakdown of the varying categories and the percentages the theatres in question will be called upon to play follows: 221 theatres, 10 per cent; 161 theatres, 15 per cent; 17 theatres, 17½ per cent; 341, 20; 30, 22½; 46, 25; 412, 30; 17, 35; 82 theatres, 40 per cent.

M & P Circuit Split Set for Jan. 3 Start

55 for Mullin, 50 for Pinanski; 2 Companies

By SIG COHEN

BOSTON, Dec. 26. — Elimination of the Mullin and Pinanski theatre operation and its reorganization as two separate companies will be concluded during the next week with the two new companies scheduled to begin individual operations on Jan. 3.

One of the new companies will be known as New England Theatres, Inc. It will be headed by Martin Mullin and will have 54 theatres in its fold. The other, known as American Theatres Co., Inc., will be headed by Samuel Pinanski and will include 50 houses, inclusive of the Seville and Central Square, East Boston, which will be absorbed subsequently, and the Hancock, now building in the new Hancock Housing Development, and

(*Continued on page 4*)

Admission Tax Income up 17%

WASHINGTON, Dec. 26.—Box-office business in October bounded upwards, hitting the highest point of the year and running close to 17 per cent ahead of October 1947, it was indicated by U. S. Bureau of Internal Revenue tax figures released here today.

The Bureau reported that general admission tax collections in November, reflecting box-office business in October, totaled $36,280,867, close to $5,200,000 better than the $31,091,909 collected in November last year.

Part of the increase, Bureau officials point out, probably reflected record football crowds, for sports events, as well as legitimate theatre

(*Continued on page 4*)

U.A. Group Meets on Raising New Capital

First meeting of the United Artists' board of directors' committee charged with drafting proposals for establishing new capital for the company and obtaining the approval therefor of co-owners Mary Pickford and Charles Chaplin was held here late last week.

Members of the committee are

(*Continued on page 4*)

2,000,000 Video Sets in '49: Sarnoff

Production of approximately 2,000,000 television receivers by the entire radio industry in 1949 was predicted by David Sarnoff, RCA board chairman, at the weekend. He said that video production was unable to keep up with the public demand in 1948 and that this condition will continue "at least through 1949."

The progress of television in combination with radio as an industry has lifted it to a two-and-a-half-billion-dollar enterprise, according to Sarnoff. He said that by 1953 a total of 18,000,000 television receivers will be in operation and a Coast-to-Coast network will have been made possible by radio relays and coaxial cables.

An "historic milestone" will be achieved with the telecast of President Truman's inauguration on Jan. 20 when the East-Midwest networks will have been linked and which will be seen by "at least 10 million persons," Sarnoff said.

Find Films Don't Spur Delinquency

Motion pictures are not guilty of contributing toward juvenile delinquency, the Magistrates' Association of Great Britain declares in an annual report which has just been received by Motion Picture Association of America here from its London office. The Association, which has a membership of 6,693 jurists, had been requested by the British Home Office to study and report on children and the cinema. British judges' findings concluded that: "There is general agreement among psychologists that the cinema is seldom, if ever, a cause of juvenile delinquency. When the cinema is blamed for a child going wrong, it will generally be found that such a child is one who would go wrong in any case."

'Movies and You' Starts on March 1

"The Movies and You" has been selected as the title for the All-Industry Film Series, by the Motion Picture Industry Film Project Committee.

First short in the series, "Let's Go to the Movies," will be released by RKO Radio on March 1. Other one-reelers about the industry will be distributed thereafter by the company which produced them, at the rate of one every two months.

The films are prepared by the Industry Film Project Committee, of which Y. Frank Freeman is chairman, in cooperation with the Academy of Motion Picture Arts and Sciences. The committe includes representatives of all branches of the industry.

'Blue Laws' Retained

ZION, Ill., Dec. 26. — Residents of Zion have voted 1,765 to 1,564 to retain the "Blue Laws" prohibiting Sunday films, business, labor or trade which have been carried in the code of the Lake County municipality for many years.

Personal Mention

SAM SEIDELMAN, head of the Eagle-Lion foreign department, has returned to New York from Mexico City.

•

FREDERICK L. BERG, son of SAM BERG, head booker at the 20th Century-Fox branch in Boston, and MARGARET RUTH PAISNER, are to be married.

•

JOCK LAWRENCE, vice-president of the J. Arthur Rank Organization, is en route to New York from Hollywood.

•

MICHAEL E. PICCIRILLO, manager of the Center Theatre, Hartford, and ANITA SOLOSHUN of that city, have announced their engagement.

•

CHARLES GAUDINO, manager of the Hippodrome, Bridgeport, Conn., and MRS. GAUDINO are the parents of a girl, VALERIE ROSE.

•

SAM SHERMAN has resigned from the booking department of the Eagle-Lion branch in Atlanta to join Universal-International in the same city.

•

TOM GUIAN, home office representative for Eagle-Lion, has been discharged from an Atlanta hospital and is recuperating at his home in Dallas.

•

O. V. SWISHER, manager of RCA's Visual Products Division, is on a three-week tour of the South.

•

KENNETH MACKENNA, M-G-M studio story head, has returned to the Coast from New York.

•

SAUL FRIFIELD, Paramount branch manager in Cleveland, is vacationing in Florida.

IRVING ALLEN, producer, arrived in New York from Paris at the weekend.

•

JACK LAWRENCE will resume as salesman for United Artists in Cleveland next week after a year's stay on the Coast.

•

C. FRANK HARRIS has resigned as manager of the Garland Theatre, Spokane, to join the Wagner Sign Co., Chicago.

•

WILLIAM MISKELL, district manager for Tri-States Theatres, Omaha, has been appointed to the Police Civil Service Commission of that city.

•

ROBERT BEMIS, manager of the Walter Freddey Theatre Equipment Co., is celebrating his 33rd year with the company.

•

JEAN COCTEAU, French producer and director, will be honored at a reception here Thursday to be given by the French Institute.

•

GEORGE M. JONES, formerly with Eagle-Lion, Atlanta, has become office manager of the Universal-International branch in that city.

•

WILLIAM HEALY of Loew's Poli, Hartford, and MRS. HEALY are the parents of a girl, SUSAN.

•

RAY BASLER, of United Theatre Supply, Atlanta, is back at home after a stay in a Columbus, O., hospital.

•

J. F. MACNEIL has been reappointed to the National Film Board of Canada.

•

S. CLAUS has returned to the North Pole for another year.

Goldberg Paces Sales Drive, Rogers Reports

Lee Goldberg of Cincinnati is leading in the Realart Pictures "Budd Rogers Silver Jubilee" sales drive at the half-way mark, Rogers, Realart distribution vice-president, disclosed at the weekend.

Robert Snyder and Manny Stutz of Cleveland are in second place; Bernie Mills of Washington is in third, and Henri Elman of Chicago is fourth. The drive still has 10 weeks to go.

Bergman, Crosby Top

(*Continued from page* 1)

Gregory Peck, Gary Cooper, Roy Rogers and Peter Lawford followed Crosby in that order.

Listed as the 10 best pictures were: "The Emperor Waltz," "I Remember Mama," "Easter Parade," "A Date with Judy," "Green Grass of Wyoming," "Scudda-Hoo! Scudda-Hay!" "The Babe Ruth Story," "State of the Union," "Sitting Pretty" and "Johnny Belinda."

Editors of *Country Gentleman* cited the list as evidence of the discriminating tastes of urban audiences.

Clearance Cut Ruled In Arbitration Appeal

Under a ruling handed down by the appeal board of the motion picture arbitration tribunals in the case involving Park Neponset Corp., East Walpole, Mass., against all five distributor-defendants, the maximum clearances which may be granted to the Norwood and Guild theatre, at Norwood, Mass., over the complainant's Park at East Walpole, has been set at 14 days, the American Arbitration Association here reports.

The arbitrators' decision which was appealed had stipulated that the clearance should remain at 21 days.

Gamble, Standard to Sign Deal Thursday

PORTLAND, Ore., Dec. 26.—Formal closing of the deal whereby Ted Gamble acquires a one-half interest in Standard Theatres, Wisconsin circuit, will be made in Milwaukee on Thursday, it has been disclosed here by Gamble.

Negotiations looking to acquisition of an interest in the 30-theatre circuit were concluded by Gamble in Milwaukee about 10 days ago.

Newsreel Parade

TWO current newsreel issues are devoted to a roundup of 1948 highlights. Other items covered in the reels include the hanging of Tojo; People in the News; Sports, etc. Complete contents follow:

MOVIETONE NEWS, No. 103—News headlines of 1948.

NEWS OF THE DAY, No. 234—News highlights of 1948.

PARAMOUNT NEWS, No. 36—[illegible] basketball. French raze radio tower. Pantry, ts. Ku Klux Klan initiation ceremonies.

UNIVERSAL NEWS, No. 207—Japs hang: Tojo and six others pay for war crimes. "GI's" play Santa Claus in Germany. News in brief: Laskley quads; war brides; minting gold in China. Football.

WARNER PATHE NEWS, No. 38—People in the news: President Truman and Col. Landry; Gen. Bradley; Italian President Einaudi; Madame Schiaparelli. Airlift Christmas. Miniature community run by clock. Teen-age fashions. Great Americans: Stephen Decatur.

Rule Elections

(*Continued from page* 1)

sented by IATSE or the International Association of Machinists, and (2) whether all automotive mechanics and repairmen and auto gang bosses want to be represented by the Teamsters Union or the IAM.

May Merge Both Units

The panel said that if a majority in each group voted for the IAM, the two groups would be combined into one bargaining unit, represented by the IAM. It said that there are many factors pointing toward separation of the two groups into two different bargaining units, but that "on the basis of the successful bargaining history of the unit represented by the machinists prior to the Hollywood studio strike, and on the basis of the entire record in the case, the machinists and the mechanics may, if they so desire, together constitute a unit appropriate for purposes of collective bargaining.

"Accordingly we shall make no final unit determination at this time, but shall first ascertain the desires of these employes."

Ten studios are covered by the decision: Columbia, Hal Roach, M-G-M, Paramount, RKO Radio, Republic, Samuel Goldwyn, 20th Century-Fox, Universal and Warner.

Outgrowth of Studio Strife

The case before the board grows directly out of the whole Hollywood jurisdictional strife. Prior to the 1945 strike, the Machinists Union represented both the machinists and the automotive mechanics. When the IAM went on strike with the other unions in the Conference of Studio Unions. IATSE provided these types of workers. Still later, when IAM broke away from the AFL, the Teamsters Union asserted jurisdiction over the mechanics, while IATSE laid jurisdictional claim to the machinists.

Harlem USO Benefit

Radio, stage, screen and sports personalities of Harlem will meet at a luncheon today at the Hotel Theresa here to discuss plans for an all-star stage benefit for the USO.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary, James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.



EVERY CRITIC POINTS TO *The* Accused AS A NEW MILESTONE IN ENTHRALLING DRAMA

Paramount
presents
oretta Young · Robert Cummings
in
HAL WALLIS'
production
"THE ACCUSED"
with
WENDELL COREY
n Jaffe · Douglas Dick · Directed by William Dieterle
nplay by Ketti Frings · Based upon a novel by June Truesdell

- "Top Entertainment" —Daily Variety
- "Marquee Dynamite" —Boxoffice
- "Certain Boxoffice Hit" —Hollywood Reporter
- "One of 1949's First Hits" —Look Magazine
- "High-Grade Melodrama" —Variety
- "Another Wallis Click" —Los Angeles Examiner
- "Slick Melodramatics" —Los Angeles Daily News
- "Grade A Thriller" —Los Angeles Herald-Express
- "One of Best Melodramas" —Seventeen

28 from U-I

(*Continued from page* 1)

viewed rough-cut screenings of eight new productions.

The 28 features do not include any of the J. Arthur Rank features which U-I will distribute in the United States. Also, the studio probably will produce more than the 28 minimum during the year, thus assuring a substantial backlog.

Expresses Optimism for 1949

Said Blumberg: "I have never been more optimistic about the business potential of Universal-International than I am today. From seeing certain pictures already completed, or in the process of filming, and from hearing detailed production plans presented by Spitz and Goetz, I am convinced that our 1949 program will include more box-office hits than any previous program which the company has offered in the 11 years that I have been associated with it.

"These productions, both completed and planned, are being made at a proper cost in relation to present market conditions."

He said U-I will produce at least six top-budget Technicolor pictures with the possibility of an additional group of Technicolor features next year.

10 Additional Films Planned

Pictures, in addition to those announced earlier, will include: "City Across the River," a documentary on juvenile delinquency; "Take One False Step," starring William Powell with Shelley Winters, Marsha Hunt and Dorothy Hart; "Illegal Entry," documentary on alien smuggling, starring Howard Duff, Marta Toren and George Brent; "Calamity Jane," in Technicolor, co-starring Yvonne DeCarlo and Howard Duff; "Abbott and Costello Meet the Killers"; "Yes, Sir, That's My Baby," Technicolor musical starring Donald O'Connor, Charles Coburn and Gloria DeHaven; "Sing Your Way Out," starring Tony Martin; "The Western Story," in Technicolor, co-starring Yvonne DeCarlo, Charles Coburn, Howard Duff and Stephen McNally, and two Robert productions, "Night Watch," and the tentatively titled "Paradise Lost, 1949."

Review

"Highway 13"

(Screen Guild)

ACTION and movement are dominant throughout the 58 minutes of this shrewdly computed melodrama of the trucking industry. It is staged principally on the highway of the title, scene of truck and passenger car tragedies which add up to no coincidence but to a double-ply plot in which nearly everybody in the cast turns out to be selfishly involved in one way or another. The picture is at its best when the action is out-of-doors, which is most of the time, and figures to satisfy in a degree proportionate to its running time.

Robert Lowery drives a truck for a big trucking outfit which is in financial straits. He is in love with Pamela Blake, waitress at a truck-stop where the company has its servicing done, and she is in love with him. Increasingly frequent destruction of trucks in highway accidents near the place become suspicious, causing the company to hire a detective to investigate. When the detective is murdered, Lowery is jailed on suspicion, but is "sprung" by an insurance company, to go back to work under instructions to investigate the case on his own. Miss Blake's uncle, played by Clem Bevins, turns out to be the individual who has been arranging the wrecks, in conspiracy with a part-owner of the trucking company.

William Stephensproduced for Lippert Productions. William Berke directed, from a script by Maurice Tombragel, based on an original by Juhn Wilste.

Running time, 58 minutes. General audience classification. Release date, not set.

Admission Taxes

(*Continued from page* 1)

admissions and other admissions are lumped in this category with admissions to motion picture theatres.

November tax collections were the highest since last December, when the Bureau took in $37,785,638. Previous 1948 high was $35,933,211 in September; the collections in the preceding month, October, amounted to $32,136,111.

The high November figure boosted 1948 collections to a shade below comparable 1947 figures. Collections for the February-through-November period, reflecting business in the ten-month period from January-through-October, totaled $318,509,000 this year, compared with $320,309,909 in 1947. This year's collections exceeded 1947 colections in four months.

Total admission collections, including roof garden and cabaret taxes and taxes on various overcharges, as well as the general admission tax collections, reached $40,447,289 in November, compared with $35,073,227 last November.

U.A. Group Meets

(*Continued from page* 1)

Vitalis Challif, E. C. Mills, Charles Schwartz and Harold Weill.

The committee's program for raising new capital, to be used primarily for financing of independent producers releasing through U.A. is scheduled to be drafted during the next 10 days or two weeks. A mid-January meeting with Miss Pickford and Chaplin in Hollywood will be sought thereafter, at which the proposals will be submitted to them.

U.A.'s product supply has been seriously curtailed as a result of the drastic conditions placed upon production loans to independent producers by banks during the past year and, with Bank of America now requiring 100 per cent guarantees on such loans, U.A. is threatened with a product famine after release of its present six months' supply of pictures.

The company's board and management feel that new capital must be made available by the owners to finance producers.



M & P Split-up

(*Continued from page* 1)

another to be built in Newton Center, Mass.

Pinanski's American Theatres will consist primarily of the Netoco group, Paramount's minority interest in which is being purchased by American.

Mullin's New England Theatres company comprises in the main the Olympia Theatres group which Paramount acquired from the late Nathan H. Gordon in 1925 for an estimated $8,000,000. Paramount will retain its interest in the New England group, with Mullin as its representative.

Officials of New England Theatres, headquarters of which will be the present M and P offices at 60 Scollay Square here, in addition to Mullin, are: Edward Cuddy, assistant general manager; Chester Stoddard, film buyer; Jerry Govan and Jack Romanoff, film bookers; Harry Browning, advertising-publicity manager; Marion Coles, treasurer, and Jack Goodwin, Ben Rosenberg, John Carroll, Hyman Fine and Robert Sternburg, district managers.

American Theatres will have offices at 646 Washington St. here. Officials in addition to Pinanski are: Edward Canter, assistant general manager and treasurer; Henry Schartzberg, film buyer; Samuel Feinstein and Thomas Fermoyle, film bookers; Paul Levi, advertising-publicity manager, and Francis W. McManus, James Dempsey and Harry Wasserman, district managers.

Following are the theatres in each of the two new companies:

AMERICAN THEATRES

Massachusetts: Allston, Allston; Capitol, Arlington; Esquire, Modern and Olympia, Boston; Circle and Egyptian, Brighton; Franklin Park, Liberty and Morton, Dorchester; State, East Milton; Elizabeth and Falmouth, Falmouth; Bayside Hull; Fairmount and Hyde Park Hyde Park; Jamaica and Egleston Square, Jamaica Plain; Marlboro, Marlboro; Oriental, Mattapan; Colonial, Natick; Regent, Norfolk Downs; Community, North Attleboro; Bellevue and Rialto, Roslindale; Plaza, Dudley, Humboldt, Rivoli, Roxie and Warren, Roxbury; Ball Square, Central and Capitol, Somerville; Park and State, Taunton; Central Square, Embassy, Waltham and Waldorf, Waltham, Newton, West Newton, and the Wollaston, Wollaston.

Maine: Maine and State, Portland.

Conecticut: Capitol, New London and Norwalk, Norwalk.

NEW ENGLAND THEATRES

Massachusetts: Metropolitan, Paramount, Fenway and Scollay, Boston; Capitol, Allston; Brockton, Brockton; Central Square, Cambridge; Broadway and Olympia, Chelsea; Codman Square, Fields Corner, Strand and Uphams Corner, Dorchester; North Shore and Union Hill, Gloucester; Colonial and Paramount, Haverhill; Merrimack Square and Strand, Lowell; Olympia and Paramount, Lynn; Paramount, Needham; Capitol and Olympia, New Bedford; Paramount, Newton; Harvard, North Cambridge; Strand, Somerville; Capitol, Worcester.

Connecticut: Allyn, Hartford; Paramount, New Haven; Empress, South Norwalk.

Rhode Island: Strand, Newport; Strand, Pawtucket; Stadium, Woonsocket.

Maine: Opera House and Uptown, Bath; Bijou, Opera House and Park, Bangor; Central and City, Biddeford; Paramount, Ft. Fairfield; Houlton and Temple, Houlton; Strand, Orono; Park and Strand, Rockland; Haines, Waterville, and Star, Westbrook.

Vermont: Magnet and Paramount, Barre, and Grand, Paramount and Strand, Rutland.

Ball Signs Goldberg

Jack Goldberg, executive producer of Herald Pictures, has been named world representative in the distribution of all short subjects produced by the Ball Film Studios, Miami.

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64, NO. 124 NEW YORK, U. S. A., TUESDAY, DECEMBER 28, 1948 TEN CENTS

FREE COPY DO NOT REMOVE FROM MAGAZINE

MOTION PICTURE ASSOC. OF AMERICA, INC. (CHAMBERS) 28 WEST 44TH ST., NEW YORK 18, N. Y.

Hopes Dim for Tax Cuts by New Congress

New Trust, Labor Laws, Business Curbs in View

By J. A. OTTEN

WASHINGTON, Dec. 27. — Little or no hope of a cut of the 20 per cent Federal admission tax by the 81st Congress, which will convene next month, is expressed in government circles.

The usual spate of bills to reduce the levy is anticipated, but there appears to be little doubt that the need to keep revenues high will kill any move to cut the yield from motion picture admissions.

The focal points of film industry attention when Congress goes into session will be four subjects which usually present themselves in the national legislature: taxes, anti-trust legislation, labor laws and business controls.

Developments in anti-trust legislation may well be the most significant in years. The House Small Business

(*Continued on page 4*)

Rhoden, RKO Close Divestiture Deal

KANSAS CITY, Dec. 27.—Elmer C. Rhoden, head of Fox-Midwest, disclosed today the completion of a deal with RKO whereby Fox-Midwest will take the Orpheum Theatre, downtown RKO first-run, and RKO will take the Main Street, downtown, which for two years has been owned jointly by RKO and Fox-Midwest.

When rehabilitation of the Main Street, closed several years, is completed, possibly on or before Sept. 1, RKO will show pictures there, and Fox-Midwest will operate the Orpheum as a road-show house for stage and film shows.

Improvements will be made at the

(*Continued on page 4*)

90 Days More for Deal on Orpheum

The three judges who have been hearing in U. S. District Court here the industry anti-trust suit have given Loew's and RKO 90 more days, or until March 31, 1949, to arrive at terms under which each company will divest itself of the 50 per cent interest

(*Continued on page 4*)

Famous Players Now Has 376 Theatres

Ottawa, Dec. 27.—Famous Players Canadian Corp. is now operating 376 theatres in 130 Canadian cities and towns, 21 more than at the same time in the preceding year, and will show somewhat higher earnings in 1948 than in 1947. A decline in attendance was counteracted by the larger number of theatres in operation during the year.

20th-Fox, Graetz to Produce Jointly

Spyros P. Skouras, president of 20th Century-Fox, disclosed here yesterday that a production-distribution deal has been concluded with Paul Graetz, producer of French films.

Skouras stated that on his visits this year to France he made a study of French film activities and had held conversations with French government officials and film leaders. As a result, he said, he was convinced that France was once again turning out films that are finding public favor.

Then, more recently, Skouras added, Darryl F. Zanuck, 20th Century-Fox vice-president in charge of production, visited France, likewise surveyed the situation, and also subscribed to such a project as being advantageous to both countries.

The arrangement with Graetz makes 20th Century-Fox a partner with him to produce a series of French language films in France for distribution by 20th. The first to be produced will be based on the life of the painter, Vincent Van Gogh. The screenplay is being written by Jean Aurenche. The deal now awaits the approval of the French government and it will go

(*Continued on page 5*)

Damages of $5,000 In Arbitration Plan

Paramount is still at odds with the other majors on the arbitration system agreed to by them and under which an exhibitor could be awarded up to $5,000 in damages as a result of a proven arbitrary refusal of a run by a distributor.

Early this month the new system was outlined in a decree which has yet to be presented to the New York Federal Court for approval. Paramount's opposition is understood to be delaying it.

The plan is to continue the system of arbitration tribunals and the ap-

(*Continued on page 4*)

U. K. Critics' Circle Retracts Anti-MGM Letter on Protest

LONDON, Dec. 27. — The London Critics' Circle has retracted allegedly libelous statements about M-G-M contained in a letter which the Critics' Circle sent out in solicitation of funds to carry an appeal to the House of Lords, this country's highest tribunal, in the case which Miss Arnot Robertson, British newspaper critic, lost when appealed by M-G-M.

The writers of the offending Critics' Circle letter have issued the following statement:

"We hereby clearly and without reservation state that such letter (the original) contains statements which are untrue and which are defamatory of Metro-Goldwyn-Mayer Pictures, Ltd., and such letter is unreservedly withdrawn."

The *Manchester Guardian* which had printed the Circle's letter also

(*Continued on page 5*)

Rank Extends Use Of Economy Process

LONDON, Dec. 27.—Extended use of the so-called "independent frame process" in production to effect shooting economies is indicated in the Rank Organization's assignment of Sydney Box to take over all independent frame production at the Pinewood studio.

Box retains his post as managing director of Rank's Gainsborough concern at Shepherd's Bush, and George Archibald continues as managing director of Pinewood, responsible for all but the independent frame productions there.

Earl St. John remains in control at Denham, but it is planned to install the frame process in two stages there.

(*Continued on page 5*)

Exhibitors Urged To Champion Films

ELDORA, Ia., Dec. 27.—Members of Allied ITO of Iowa-Nebraska are urged in the organization's current bulletin to "Talk for, not against, your business." when it is subjected to public criticism.

Leo Wolcott, chairman of the organization, advises members to boost the good pictures, assure the public that production quality is improving and that steps will be taken to control or eliminate the few who bring discredit upon their profession by public offenses.

"Tell your public that for every

(*Continued on page 2*)

$10,000,000 Spent in '48 On 'Co-op' Ads

Half of That Sum in L. A. and N. Y. Areas

By RED KANN

HOLLYWOOD, Dec. 27.—Statistics prepared in New York and forwarded here for the heads of production to mull reveal major companies will have spent $10,000,000 in cooperative advertising in 1948.

Aside from privately and openly expressed opinion here that this situation must be adjusted downward — and very sharply—New York is directing Hollywood's attention to the matter because the figures show $5,000,000, or 50 per cent, were spent by the majors in two cities. Los Angeles, including Hollywood, is one, and New York is the other.

Leading executives, both East and West, in the main, take the position the job is lop-sided and heavily weighted to the economic disad-

(*Continued on page 4*)

Harmon to S. Africa For MPAA Members

At the request of MPAA president Eric Johnston, Francis S. Harmon, vice-president of the Motion Picture Association of America, will discuss current film problems of the Association's member companies with officials of South Africa, it was disclosed here yesterday by John G. McCarthy, managing director of the MPAA's international division.

Harmon is scheduled to fly from New York to Johannesburg on Monday, Jan. 3, to remain there for a sufficient time to contact members of the

(*Continued on page 5*)

Mexicans Seek Aid To Un-freeze Money

MEXICO CITY, Dec. 27.—Irked by the increasing sum due them from exports that is frozen in many countries, Mexican producers have urged the government to act toward getting them at least part of it. The producers contend that because of greater difficulties in obtaining adequate

(*Continued on page 5*)

Personal Mention

Y. FRANK FREEMAN, Paramount studio executive, is due here tomorrow from Hollywood.

•

HUGH BRUEN, exhibitor of Whittier, Cal., and an official of the Pacific Coast Conference of Independent Theatre Owners, has accepted an invitation to serve on the national exhibitor's committee of "Brotherhood Week."

•

LEROY PRINZ, Warner dance director, who was recently discharged from the hospital after an operation, has been sent back to St. John's in Hollywood because of an infection.

•

JERRY HYAMS, general sales manager of Commonwealth Pictures, and MRS. HYAMS have become the parents of a second daughter, born at French Hospital here.

•

WILLIAM K. SAXTON, city manager for Loew Theatres in Baltimore, has returned to that city from Long Island after attending his mother's funeral.

•

JULES LAPIDUS, Warner Eastern and Canadian division sales manager, will leave New York today for Boston.

•

JAMES BELLO, special sales representative for Astor Pictures of Atlanta, is here from that city.

•

AL ZIMBALIST, Film Classics advertising-publicity director, left here last night for Detroit.

•

PAUL SHORT, producer, is in Dallas from Hollywood.

F. Ullman, Jr., Rites Held on the Coast

HOLLYWOOD, Dec. 27.—Private funeral services were held here this afternoon for Frederic Ullman, Jr., 45, RKO Radio producer and former president of Pathe News, who died yesterday at his Beverly Hills home, apparently of a heart attack. He recently completed his first picture as an RKO Radio feature producer, a post he took following RKO's sale of Pathe News to Warner a year ago.

Ullman, who had been in the industry since his graduation from Yale in 1925, launched several years ago the "This Is America" series for RKO Radio. It was under his direction that RKO Pathe set up its New York City studio at Park Ave. and 106th St. Born in Buffalo, he was the son of Frederic Ullman, a Buffalo theatre owner.

Surviving are the widow, Mrs. Janine Pinchot Ullman; a son, Anthony, and a daughter, Abby.

RKO Pathe headquarters here were closed all day yesterday in memory of Frederic Ullman, Jr., former president of the company who died on the Coast on Sunday.

Catholic Pictures To Produce, Exhibit

Catholic Pictures International, new production-distribution organization which has included in its program plans to open "showcase" houses in key cities, has been incorporated at Albany.

John William Walker, former silent screen actor, who heads the new company, said here that filming of Catholic Pictures' first feature, "The Story of the Holy Mass," will begin the latter part of next month. Meanwhile, Walker said, negotiations are underway for acquisition of the first "showcase," which will be in Boston.

Other pictures to be produced following the completion of "The Story of the Holy Mass," which will be made in color, are "The Benediction," "The Stations of the Cross" and "Visualization of the Catechism," according to Walker. He said the films will not necessarily be designed for showing to Catholics exclusively.

All pictures, Walker said, will be shot in various sections of the country, including here and the Coast.

USO's Harlem Unit Sets Feb. 11 Show

Plans for an all-star show on Feb. 11 to be staged by the Harlem division of the USO were formulated at a luncheon here yesterday at the Hotel Theresa. Bandleader Noble Sissle was chairman of the meeting and speakers included Lindsley F. Kimball, USO president, who discussed reasons behind reactivation of the USO; John J. Raskob, USO general chairman, who outlined the achievements of the organization, and Dan Burley, one of the chairmen of the Feb. 11 show.

It was pointed out at the luncheon that some 17,000,000 persons have already contributed to the new USO. All film stars and other artists in town on Feb. 11 will be invited to participate in the show, Burley said.

Tax Threatens Salt Lake

SALT LAKE CITY, Dec. 27.—Pressure to introduce a city sales tax in the Utah Legislature, which convenes in January, grows in Salt Lake, the outgrowth of a nationwide move to obtain more revenue for cities. The measure is being pushed by several "big city" groups.

Rites for Brian

BOSTON, Dec. 27.—Funeral services were held here this morning for Donald Brian, 73, former stage and screen player and a past president of the Catholic Actors Guild, with a High Mass at St. Paul's Church in Dorchester. Interment was at Mt. Hope Cemetery here. Brian died last Wednesday.

E. J. Mackay, 74

ELIZABETH, N. J., Dec. 27.—Edward J. Mackay, 74, an early film director and player as well as a well-known former New York actor, died here yesterday in the Alexian Brothers Hospital after a brief illness. In addition to the widow, two sons survive.

Local Goodwill Is Best, Says Jenkins

ATLANTA, Dec. 27.—"Public relations in our industry should be primarily on a local basis," said William K. Jenkins, Georgia theatre executive, at a meeting with his department heads here.

Praising the community relationships of his city managers, both in key towns and in one-house locations, the Georgia Theatre Co. president said that more good for the industry accrues from "on-the-spot" goodwill than any "canned" newspaper releases or contacts imported from the Coast.

"First and foremost," he pointed out, "comes the goodwill built by the individual manager among his own patrons, and city and state officials. If each manager has won local confidence and respect for himself, his theatre and his pictures, adverse national publicity against the industry will fall on deaf ears in his town.

"On-the-spot public relations, fostered carefully and sincerely, stands as a bulwark against destructive considerations and publicity which otherwise might be real threats to each theatre's box-office and to the industry as a whole."

Company's theatres will back the March of Dimes' 1949 drive with collections, according to Jenkins.

Exhibitors Urged

(*Continued from page* 1)

one of that kind there are scores who are as fine and hard-working as any other American citizens," the bulletin advises.

Members also are urged to make passes to their theatres available to state legislators and their wives. The suggestion is made that exhibitors who have not yet played Allied Artists' "The Babe Ruth Story" use it as a cancer benefit show to achieve community goodwill, as has been done elsewhere.

Para. Will Install Television on Coast

Carl D. Maurer, supervisor of development engineering of the television division of Paramount Pictures, has entrained for Los Angeles to install a Paramount video transcription system at station KTLA.

The system will duplicate the equipment now in use at the New York Paramount Theatre. It will enable station KTLA to supply 35mm. and 16mm. sight-and-sound film recordings of television shows to its clients for use on other stations; also film transcriptions of televised special events for large-screen theatre-television exhibition. The new service will be ready about Jan. 15.

RKO To Distribute Rooney Pictures

BOSTON, Dec. 27.—Pictures to be produced by Mickey Rooney Productions will be released by RKO Radio, Rooney, who is making a personal appearance here, disclosed today.

RADIO CITY MUSIC HALL
Rockefeller Center
"WORDS AND MUSIC"
JUNE ALLYSON • PERRY COMO
JUDY GARLAND • LENA HORNE
GENE KELLY • MICKEY ROONEY
ANN SOTHERN
Color by TECHNICOLOR
A Metro-Goldwyn-Mayer Picture
THE GREAT CHRISTMAS STAGE SHOW

Cary Grant in Every Girl Should Be Married
IN PERSON BURT LANCASTER & Others
CAPITOL B'way & 51st Street

DARRYL F. ZANUCK presents
OLIVIA de HAVILLAND
the Snake Pit
Directed by ANATOLE LITVAK • Produced by ANATOLE LITVAK & ROBERT BASSLER
RIVOLI B'way & 49th Street

The Paleface
Color by Technicolor
Bob HOPE Jane RUSSELL
A Paramount Picture
IN PERSON BENNY GOODMAN And His Orchestra
BUDDY GRECO
PETRO BROS
BUDDY LESTER
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

J. Arthur Rank presents
"THE RED SHOES"
Color by Technicolor
BIJOU THEATER, 45th Street West of Broadway
All Seats Reserved, Mail Orders
Twice Daily
Extra Matinees Saturday and Sunday
Late Show Saturday Evening 11:30
An EAGLE LION FILM Release

TOO BIG FOR ONE THEATRE
JOAN OF ARC
starring INGRID BERGMAN
A VICTOR FLEMING PRODUCTION
COLOR BY TECHNICOLOR
CAST OF THOUSANDS with JOSE FERRER
FRANCIS L. SULLIVAN • J. CARROL NAISH
WARD BOND • SHEPPERD STRUDWICK • HURD HATFIELD • GENE LOCKHART • JOHN EMERY
GEORGE COULOURIS • JOHN IRELAND and CECIL KELLAWAY • based upon the stage play 'Joan of Lorraine' by MAXWELL ANDERSON
Screen Play by MAXWELL ANDERSON and ANDREW SOLT • Art Direction by RICHARD DAY
Director of Photography, JOSEPH VALENTINE, A.S.C.
Produced by WALTER WANGER
Directed by VICTOR FLEMING
presented by SIERRA PICTURES, Inc.
released by RKO RADIO PICTURES
CONTINUOUS AT THE VICTORIA 8'WAY at 46th ST. 7 SHOWS DAILY
RESERVED SEATS AT THE FULTON 46th ST. W. of B'WAY MATS. $1.80 EVES. $2.40

Samuel Goldwyn presents
"ENCHANTMENT"
Starring
DAVID NIVEN TERESA WRIGHT
EVELYN KEYES FARLEY GRANGER
Released by RKO Radio Pictures, Inc.
ASTOR THEATER
Broadway & 45th Street

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.



THIS typical American city has become a movie set in its entirety for the film version of Robert Penn Warren's distinguished Pulitzer Prize novel, ALL THE KING'S MEN. In its buildings, on its streets and adjacent highways and with its own and neighboring townspeople among the players, the Mason City sequences of the book are now being shot.

A ROBERT ROSSEN
PRODUCTION
A Columbia Picture



Storm Signal Hurt NY Runs

Business is big at New York first-runs this week but still short of expectations as anticipated sharp upswing in income was to a large extent late in coming. Revenue poured in heavily yesterday after a somewhat disappointing take on Saturday and Sunday. Mayor O'Dwyer's warning on Friday night of the "worst storm" in the city's history, although not borne out in fact, had the effect of keeping many at home. The weekend cold spell was no help, either.

One extra performance is being given daily by the regular first runs this week while reserved-seat houses—the Bijou, Park and Fulton—have scheduled two extras. Top returns for the balance of the week are looked for.

$50,000 for 'Enchantment'

"Enchantment" is an important newcomer at the Astor where the first week's gross is estimated at $50,000. Other powerful new attractions are: "Force of Evil," State, first week, $70,000; "That Wonderful Urge," Roxy, first week, with Barbara Ann Scott and others on stage, $95,000; "Every Girl Should Be Married," Capitol, first, with Burt Lancaster and Skitch Henderson's orchestra in person, $88,000; "Adventures of Don Juan," Strand, first, with Tommy Dorsey on stage, $75,000.

"One Sunday Afternoon" is fair in its first week at the Mayfair where $20,000 is expected. Initial week of "Angel on the Amazon" should bring a modest $14,000 to the Gotham. First week's take of "Whiplash" at the Globe is figured at a moderate $21,000.

$68,000 for 'Joan' at 2 Runs

"Words and Music" with a stage show should provide the Music Hall with a very impressive $151,000 in a third week. "Joan of Arc" is a rare performer at the Victoria where the seventh week's business should hit $51,000. The film also is playing to capacity audiences at the Fulton where the policy is reserved seats and the second week's gross is estimated at $17,000.

"Paleface" with Benny Goodman's orchestra should give the Paramount a substantial $82,000 in its second week. "Red Shoes" appears good for $22,000 in a 10th week at the Bijou. "Hamlet" is another playing to capacity; the 13th week's gross is put at $20,000. The second week of "Rogue's Regiment" at the Criterion is not too big, at $25,000. "Snake Pit" is weakening at the Rivoli but the eighth week's gross of $22,000 is relatively good in view of the length of the run.

Deal on Orpheum

(*Continued from page* 1)

it has in the Orpheum Theatre in Denver.

Loew's and RKO had asked the court for a divestiture order modifying the Dec. 31, 1946, divestiture decree, and the decree of Nov. 8, 1948, applying to RKO. Under the decrees both are enjoined from owning stock in the theatre. Mutual ownership of the house was to be terminated on Dec. 31, 1948, but despite efforts meanwhile the companies could not reach an agreement.

Review

"Force of Evil"

(*Enterprise-M-G-M*)

IN bold and realistic strokes, "Force of Evil" tells the story of a bright young lawyer who desired to get ahead in the world but got caught in an onrush of evil events that led to his disintegration. Based on "Tucker's People," Ira Wolfert's novel about gambling on numbers, this Enterprise production stars John Garfield and introduces as his female lead, Beatrice Pearson, who has promising talent. The picture's basic assets seem to augur fruitful box-office returns, but one can be justly critical of the story's occasional lack of clarity as well as its tendency to strain for melodramatic effect. Garfield's forceful performance does much to lend substance to the narrative, and so do other strong portrayals, especially those of Thomas Gomez, as Garfield's brother; Roy Roberts, a racketeering numbers "king," and Marie Windsor, his frustrated wife.

As legal counsel for one of the toppers in the city's numbers racket, Garfield's financial star rises rapidly. However, when his boss decides to break all member banks by framing a mutuel payoff on a horserace, Garfield tries to go to the help of his brother, a small numbers banker. A series of complications develop, and in order to protect his brother from ruin, Garfield becomes increasingly enmeshed in unlawful operations with racketeers.

The proceedings are punctuated with violence and murder, and Abraham Polonsky's direction keeps the story moving tautly. With New York as the background, many on-the-spot scenes were shot in the city. The screenplay, by Polonsky and Wolfert, ends on an unorthodox note, with Garfield surrendering himself to the law after doing his small part to clean up some of the more sinister elements of the numbers racket. Bob Roberts produced in resourceful fashion.

Running time, 78 minutes. General audience classification. For February release.

MANDEL HERBSTMAN

Arbitration Plan

(*Continued from page* 1)

peals board maintained by the American Arbitration Association.

Subject to arbitration would be an exhibitor's request by registered mail for a run which was "arbitrarily or unreasonably" refused by a distributor who instead licensed a film to a competitor on the same run. The distributor's failure to comply with a finding in favor of the complainant on this count could mean damages of not less than $100 nor more than $5,000 to be awarded to the exhibitor.

After a final award on this point the exhibitor could institute a further proceeding if the award is not complied with and here again he could be awarded from $100 to $5,000.

The "Little Three" also have yet to show any willingness to go along with the plan. Both United Artists and Universal are said to be wary of the costs involved and Columbia's attitude, as expressed by counsel Louis Frohlich, is one of firm opposition.

In the plan the burden of proof would be on the distributor in clearance disputes. The power of the arbitrator here would be limited to an award fixing the maximum clearance. Rental terms and license fees paid by the theatres involved and the distribution revenue would be considered by the arbitrator.

Exhibitors could collect damages up to $500 on a finding that a distributor conditioned the sale of one film on the sale of another.

The proposed order directs that an exhibitor could institute an arbitration proceeding or file a court action but once he decides on one medium he could not pursue the other.

Awards for Showmanship

LOS ANGELES, Dec. 27.—Fox West Coast theatre managers in the Southern California division received $23,617 as advance payments on National Theatres' showmanship campaign at the circuit's annual holiday party. They also received $24,006 in company insurance refunds. Charles Skouras made the awards.

New Congress

(*Continued from page* 1)

Committee, which obtained much testimony on the film industry during its hearings last fall, will probably make some very drastic recommendations for tightening the Sherman and Clayton Acts.

The Truman Administration is working on an anti-trust program of its own, and this seems likely to get a favorable hearing.

Expect Curb on 'MPEA Act'

Other proposals in the anti-trust field include higher penalties for violating the law, further curbs on mergers, limitations on the Webb-Pomerene Act, which permits export associations like the Motion Picture Export Association to operate without falling afoul of the anti-trust laws, and other changes in current laws.

Allied States leaders claim recent court decisions remove any reason for pushing the Lewis bill, to force Ascap to deal with film producers for exhibition royalties.

Repeal of practically all of the Taft-Hartley Law is said to be almost a foregone conclusion.

The Democratic election sweep seems to observers here to have spelt the deathknell of the House Labor subcommittee headed by Rep. Kearns, which conducted such lengthy hearings on the Hollywood jurisdictional disputes.

Watch Convertibility Program

Appropriations for a dozen federal agencies will be watched by the film industry. The ECA program and the Far Eastern recovery program will be up for more funds, including money to continue and possibly expand the program guaranteeing films and other information media the convertibility of their film distribution costs in those areas.

And finally, though the House Un-American Activities Committee now seems likely to be extended, industry sources here believe the committee's interest in Hollywood will have diminished, if not vanished entirely.

'Co-op' Ads

(*Continued from page* 1)

vantage of the distributor and either must be adjusted on a more equitable basis or cooperative advertising will be reduced to a point resembling elimination. The opponents of the present order hold exceedingly firm views which combine into an overall picture hardly flattering to exhibitors. The advocates of drastic readjustment reflect this concentrated, overall opinion.

The theatreman is now, and has been, getting away with a situation little short of murder, it is said. Not only does he refuse to play attractions for their first-run life, but he also resists what are supposed to be normally-applied methods of advertising, exploiting and merchandising. He has come to depend upon the distributor to carry the burden, and the distributor has been lax enough, even careless enough, to permit this state of affairs to assume its present status.

Asks 'Partnership' for Job

"We do not subscribe to the position the job is entirely for the exhibitor to undertake because we have an important stake, too. But there must be equity where very little now exists. If the distributor and the exhibitor are partners under percentage selling, which indeed they are, then let the partnership be a partnership in fact as well."

But the situation has its champions of the existing condition, too. They do not feel any more kindly toward exhibitors than their opposite number, but take the position important attractions must not be left in the hands of exhibitors who might be charged with indifference. Big pictures, according to this viewpoint, cost too much to be let loose on audiences unprepared for them so that while it is felt cooperative advertising narrows down to a form of "necessary evil," it would be ill-advised to forego it entirely.

Cite High Advertising Costs

It is claimed here it is possible to assemble a rather formidable list of attractions which have cost distributors more to advertise first-run locally than they have gotten in rentals. The same assertion is advanced for identical, or other, attractions which have played first-run on Broadway.

In the instance of Los Angeles and/or Hollywood and where these circumstances have prevailed, the strategy has been to impress the studio which made the picture or competitive studios or agents controlling talent which the studio concerned seeks. In the instance of New York, the intent has been to concentrate attention on a Times Square run to stimulate selling impact on the rest of the country.

Rhoden, RKO Deal

(*Continued from page* 1)

Orpheum before Fox-Midwest starts operating it. Fox-Midwest now operates three day-and-date first-runs: the Tower, Uptown, and Fairway, and the downtown Esquire, booking separately but occasionally on moveovers from the others. The ownerships take effect at midnight December 31, with Fox-Midwest then leasing the Orpheum to RKO until the Main Street is ready for the latter's use.

Bonus from M. and P.

BOSTON, Dec. 27.—Employes of the M. and P. circuit have been given a bonus of four weeks' salary.

Cocteau Sees Silver Lining in Film Cloud

The economic plight of the French film industry is not without its compensating factors, in the opinion of Jean Cocteau, French producer, director and man of arts and letters. Cocteau has arrived by plane from Paris to attend the premiere of his "The Eagle With Two Heads," which will open at the Little Cinemet here tomorrow. Cocteau said yesterday that when production budgets are low and material and equipment worn, the film makers must fall back on native ingenuity. They must create and experiment and develop, he said, and this benefits the art.

As soon as companies grow into huge financial organizations they become "afraid to take risks" and thus the art suffers, Cocteau remarked. Hollywood was characterized by Cocteau as "a wonderful place to work but completely spoiled by fear of risk." Cocteau added that he thought it would be to the interest of Hollywood if it would allocate sums of money to encourage experimental films. He said that he was named president of a club in France named "Objective '49," whose purpose is to give awards for experimental films. Film makers of all countries are invited to submit their non-commercial films, he said.

Roux Color, France's new color system, is still not perfected, according to Cocteau. He will return to France next week to start work on a new film.

Harmon to S. Africa

(*Continued from page* 1)

government and present the Association's case against any cut-backs in dollar remittances.

Harmon will work through the American Embassy. He is in Washington today discussing with the State Department various angles of the situation.

South Africa recently announced a general 50 per cent cut-back on importation of goods from outside the sterling area based on 1947 dollar totals and effective retroactively to July 1, 1948.

20th-Fox, Graetz

(*Continued from page* 1)

into effect immediately after it is approved.

Graetz, who is now in New York, will leave for France shortly to begin work on the Van Gogh picture. He recently produced the French film, "Le Diable au Corps" ("Devil in the Flesh"), starring Micheline Presle and Gerard Philips.



Review

"The Dark Past"

(Columbia)

BASED on James Warwick's play, "Blind Alley," this account of the psychiatric rehabilitation of a hardened, impulsive killer, who submits to hasty treatment during a few hours while he holds a psychoanalyst and the latter's family and guests prisoners in a country lodge, emerges as arresting melodrama notwithstanding an over-simplified approach to the subject matter and a static setting. Sturdy performances by William Holden, as the criminal, and Lee J. Cobb as the vacationing psychologist, plus good direction by former ace cameraman Rudolph Mate, was chiefly responsible for the enlivened pace and mounting suspense that has been drawn from a screen play written by Philip MacDonald, Michael Blankfort and Albert Duffy. The adaptation was by Malvin Ward and Oscar Saul.

Escaped convict Holden and members of his gang, including girl-friend Nina Foch, pick the lake lodge of Cobb as a hideout. It does not take Cobb long to detect manifestations of mental illness in Holden's actions. After breaking down the killer's cynical reluctance to have his fears and dreams probed, Cobb reveals to Holden the subconscious impulse which made him what he is. The revelation immediately cures the criminal of a physical handicap and makes it impossible for him to resist arrest by police who close in on him. Supporting roles are filled by Adele Jergens, Stephen Dunne, Lois Maxwell, Berry Kroeger and others. Budder Adler produced.

Running time, 75 minutes. General audience classification. For January release.

CHARLES L. FRANKE

Production Drops To 23, from 35

HOLLYWOOD, Dec. 27. — The production index dropped to 23 from last week's 35. Only three new films were started, while 15 were sent to cutting rooms.

Shooting started on "Madame Bovary" and "The Forsythe Saga," Metro-Goldwyn-Mayer, and "East Side Story," 20th Century-Fox.

Shooting was finished on "Secret of St. Ives," "Rim of the Canyon" (Autry) and "Jolson Sings Again," Columbia; "Danger Street" (Falcon), Film Classics; "Murder in the Air," "Outlaw Marshal," Monogram; "Easy Does It," "Samson and Delilah," "Top o' the Morning" and "Manhandled" (Pine-Thomas), Paramount; "It's Only Money," RKO Radio; "Rimfire" (Lippert) and "Omoo," Screen Guild; "The Crooked Way" (Bogeaus), and "The Great Dan Patch" (Frank), United Artists.

Produce in India, Hollywood Is Urged

HOLLYWOOD, Dec. 27.—Urging major Hollywood studios to undertake production in India, Keki Modi, chairman of the board of directors of Western India Theatres, Ltd., today told the international committee of the Association of Motion Picture Producers at a luncheon here in his honor that "production costs of both versions (English and Indian) can be returned from the Indian version alone." India has fully-equipped studios, he said, and added that there is no government restriction against remitting money earned by American films.

Mexicans Seek Aid

(*Continued from page* 1)

financing, and higher production costs, the frozen money would be a big help to them, now that they are determined to stress quality in production.

Producers claim that more than $1,000,000 of their money is frozen in Argentine alone and that Spain has much of it, too, not to mention nearly every other country, except the United States.

U.K. Probe Group to Meet on January 5

LONDON, Dec. 27.—President of the Board of Trade Harold Wilson's committee on exhibition and distribution will hold its first meeting on Jan. 5, a tardy beginning since he had announced originally that his probe committee would begin its enquiry into trade conditions in the late fall and an interim report, at least, would be ready in January.

Wilson had difficulty persuading qualified people to serve on his probe committee. Now apprehensions are widely expressed that the committee may recommend some form of quasi-nationalization of sections of the industry, since several of its members have pronounced Socialist and radical leanings.

Against that, however, is the fact that Lord Portal of Laverstoke, a dyed-in-the-wool true-blue Tory, is chairman of the committee.

Imports for Midtown

"Secrets of a Ballerina," starring Micheline Presle and Pierre Blanchar, being distributed in the U. S. by Distinguished Films, will have its local premiere here tomorrow at the Midtown Theatre. The French picture will also initiate the theatre as a first-run showcase for foreign films.

U. K. Critics

(*Continued from page* 1)

apologized to M-G-M for the publication.

In releasing the correspondence, M-G-M's Sam Eckman, Jr., said: "We have not the slightest wish to attempt to influence anybody against contributing to that fund."

His statement apparently was in reply to a vicious attack on M-G-M made in the House of Commons recently by a Socialist M. P., Tom Driberg, whose remarks in Commons were privileged and thus unaffected by the law of libel.

Among other things, Driberg charged "barbarous, opulent Hollywood corporations try to gag and intimidate English critics."

Driberg asked for public funds to be voted for Miss Robertson's aid in her legal battle with M-G-M but the government turned him down flatly.

Miss Robertson was awarded $6,000 damages by a lower court in her litigation with M-G-M, but the decision was reversed on M-G-M's appeal. She is now subject to $20,000 court costs and a further $10,000 is needed to carry her case to the House of Lords.

She is the film critic of the British Broadcasting Corp. whom M-G-M, Ltd., two years ago excluded from screenings of its pictures for critics here on the ground that public film tastes "were unknown to her." She sued for alleged libel.

Contributions to the fund have proceeded slowly but Lord Kemsley recently contributed $4,000.

The Critics' Circle, however, is by no means unanimous in the Robertson matter. Three members of its executive committee have resigned in protest against the fund.

Rank Extends

(*Continued from page* 1)

The process, looked upon as one of Rank's chief reliances to effect production economies, basically employs photographic backgrounds for stages, eliminating the need for costly sets and much location work by large or small companies. Savings of 20 to 60 per cent in time and money are claimed for it.

Four features are being made at Pinewood now employing the process. The first, "A Warning to Wantons," is to be screened soon. They are being made by Donald Wilson for Aquila Film Prod., Ltd.



KEEP POSTING!

KEEP POSTING!

KEEP POSTING!

KEEP POSTING!

KEEP POSTING!

KEEP POSTING!

KEEP POSTING!

KEEP POSTING!

KEEP POSTING!

KEEP POSTING!

KEEP POSTING!



NATIONAL Screen SERVICE
PRIZE BABY OF THE INDUSTRY

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64. NO. 125 NEW YORK, U.S.A., WEDNESDAY, DECEMBER 29, 1948 TEN CENTS

MOTION PICTURE ASSOC. OF AMERICA, INC. (CHAMBERS) 28 WEST 44TH ST., NEW YORK 18, N. Y. DO NOT REMOVE FILE COPY

TOA Receives 1st Bid for Conciliation

Lockwood Weighs Dearth As Albany Filing Comes

It is nearly two months since Theatre Owners of America announced it would essay exhibitor-distributor conciliation on a 60-day basis in local TOA units, yet, even though conciliation machinery has been set up meanwhile to cover almost every area of distribution, only one complaint has been received thus far.

First complaint was filed yesterday with the Albany TOA conciliation board. Filing exhibitor is as yet unidentified because, it was explained, the Albany board requires certain procedural information from TOA headquarters here and intends to release full details only on receipt of headquarters approval.

Arthur H. Lockwood, TOA president, discussing yesterday the dearth of complaints, explained the situation

(*Continued on page* 4)

New Company Gets Old Edison Films

Tri-Video Productions, Inc., has been formed here to produce and distribute television films. Officers are: Edward Hamilton Bryant, Boston industrialist, president; Jack Goldstein, public relations consultant, and John D. McGrail, vice-presidents. Edward Kearns, technical director of the Film Library of the Museum of Modern Art, is chief production consultant, and William L. Jamison, pioneer studio executive, is head of the research department.

The company has acquired rights to the Edison collection of old-time films, embracing over 500 subjects of one, two and three-reel length. The first series is now ready, and is titled "Nickelodeon Novelties."

2 More Companies Settle Trust Suit

CHICAGO, Dec. 28.—Dismissal of the Liberty Theatre, Michigan City, equity suit, is to be effected here shortly, with an agreement having been reached between the remaining two defendants, Columbia and Universal, which have conceded to grant plaintiff Louis Philon, operator of the

(*Continued on page* 4)

Hughes Tool Co. Is Reported for Sale

Negotiations for sale of the Hughes Tool Co., of Houston, Texas, principal investment of Howard Hughes, to several members of the company's management and a group of New York investment bankers were disclosed here yesterday by representatives of both sides. A sum of more than $140,000,000 is believed to be involved.

While a source close to Hughes, who recently purchased RKO, indicated that Hughes is seeking to improve his cash position, there was no information as to how the money would be used. Both RKO and Transcontinental and Western Air, Inc., Hughes' other principal concern, are expected to gain by the deal.

Ascap-Video Discuss Contract Next Week

American Society of Composers, Authors and Publishers and representatives of the television industry plan to start negotiations of Ascap's first non-gratis pact with the telecasters next week.

Television Broadcasters Association is expected to announce this week that video interests will be represented by Robert P. Myers, assistant general attorney for National Broadcasting, and Edward McCrossin of the DuMont legal department. Both also are connected with the National Association of Broadcasters.

Until now Ascap has licensed its music to television stations on a gra-

(*Continued on page* 5)

2 Mexican Circuits Set Monopoly Deals

A two-company monopoly of exhibition has been established in Mexico, it was reported here yesterday by Sam L. Seidelman, Eagle-Lion's foreign department chief, who described himself as author of the monopoly plan. Seidelman said he set it in motion during his recent two-week visit to Mexico City.

Mexican circuits involved are the 17-theatre Cadena de Oro, under the leadership of Emilio Azcarrago, and the 27-house Operadora de Teatros, headed by Manual Espinosa. The former has two additional houses under construction and the latter is now erecting five new houses, all in Mexico City and all to be ready for occupancy by next June, Seidelman said.

The two companies now have a pact involving the division between them

(*Continued on page* 5)

U. A. Finance Meet Jan. 17 on the Coast

United Artists' co-owners Mary Pickford and Charles Chaplin have agreed to meet in Hollywood on Jan. 17 with the special committee of the company's board of directors to discuss methods of providing new capital, primarily for the purpose of financing new production for U. A. in consequence of new bank restrictions on loans to independent producers.

Proposals for raising new capital are now being drafted by the directors' committee, consisting of Vitalis Chalif, E. C. Mills, Charles Schwartz and Harold Weill.

NCCJ Chairmen to Meet Here Jan. 6

Chairmen of the motion picture industry's "Brotherhood Week" committee will hold a co-ordinating luncheon at the Waldorf-Astoria Hotel here on Thursday, Jan. 6, to be presided over by J. Robert Rubin, chairman of the amusements division of the drive.

Purpose of the luncheon is to report progress to date and to co-ordinate future plans for industry-wide participation.

Attending will be: Ned E. Depinet, chairman of the motion picture division; Leon J. Bamberger, assistant to the chairman; Dr. Everett R. Clinchy, president, National Conference of Christians and Jews; S. L. Goldsmith, NCCJ director of finance; Spyros P. Skouras, chairman, newsreel committee; Charles M. Reagan, distribu-

(*Continued on page* 5)

France and Austria To Exchange Films

WASHINGTON, Dec. 28.—An Austrian-French financial agreement includes a special film provision for the exchange of five French films for each Austrian film, according to a U. S. Commerce Department report issued here today by film chief Nathan D. Golden.

Golden says the schilling differences credited to France will be used by the French film industry for production and synchronization in Austria, for paying license fees and royalties to Austrians, and other similar purposes. Should the schilling balance in France's favor exceed 1,000,000 at any time, further French film imports can be barred temporarily.

Tighter Trust Law Urged by House Group

Ploeser for Divorcement To Solve Film 'Monopoly'

WASHINGTON, Dec. 28.—As expected, the House Small Business Committee today recommended two proposals for tightening the anti-trust laws backed by Allied States Association.

These would set up a special anti-trust court and would extend the Robinson-Patman Act prohibitions against price discrimination to discrimination in royalties and rentals as well as discrimination in sales.

The committee did not come out flatly for divorcement, but committee chairman Ploeser said he and ranking Democrat Patman believed that divorcement was the only eventual solution for monopoly in the film industry.

The committee's report called for the comprehensive study by the Federal Trade Commission of "the desir-

(*Continued on page* 4)

Lefkowitz Is Named U.A. District Chief

Sam Lefkowitz has been appointed United Artists district manager with jurisdiction over New York, New Haven, Boston and Buffalo, by Edward M. Schnitzer, Eastern division manager.

Schnitzer also appointed Abe Dickstein, his executive assistant, to branch manager of the New York exchange. Dickstein's place as Schnitzer's home office assistant will be taken by Victor Bikel.

Lefkowitz rejoins United Artists, with which he first became associated in 1942 as New York branch manager. In 1943 he was promoted to

(*Continued on page* 5)

RKO Radio, SOPEG Launch Pact Talks

A negotiating committee from CIO's Screen Office and Professional Employes Guild will meet here today with RKO Radio comptroller Garrett Van Wagner to confer on new contract demands which SOPEG has submitted, Sidney Young, SOPEG president, reported yesterday. The CIO local reacquired bargaining privileges at the RKO home office in consequence of

(*Continued on page* 5)

Personal Mention

LEONARD GOLDENSON, Paramount vice-president in charge of theatre operations, is due back in New York next week from a vacation in Mexico City.

•

BRETAIGNE WINDUST, Warner director, is due back at the Burbank studio Jan. 15 from Jamaica, B.W.I., where he has been recuperating from an illness.

•

EUGENE RUBY, son of OSCAR RUBY, Columbia branch manager in Cleveland, and MRS. RUBY, was married recently in Milwaukee.

•

SAM STECKER, Associated Circuit official, and MRS. STECKER will leave Cleveland next week to spend the winter in California.

•

HANNAH PELLEN, secretary to RED KANN, a vice-president of Quigley Publishing Co., will observe a birthday today.

•

CLIFF ALMY, Warner supervisor for the Philippines, is spending the holidays with his family in Hollywood.

•

LOUIS NIZER, industry attorney, is vacationing in Florida, from New York.

B'nai B'rith Scroll Presented to Aldrich

Winthrop W. Aldrich, chairman of the board of the American Heritage Foundation, sponsor of the Freedom Train which is currently in New York after its nationwide tour, this week was presented with B'nai B'rith's scroll of achievement by Jack H. Levin, New York City chairman of the latter's Americanism committee and executive vice-president of the film industry's Confidential Reports, Inc.

Weitman On Air with Story of Paramount

The story of the New York Paramount Theatre as part of the New York scene will be told on the "Our Job Is Manhattan" program on WJZ, New York, and the ABC network tomorrow night at 9:30. Robert M. Weitman, managing director, and a long list of personnel ranging down to page boys will be interviewed.

January Is U-I 'Managers Month'

January has been designated as "Branch Managers Month," in Universal-International's "Unity Sales Drive," as a tribute to managers in the 31 exchanges. All offices in the field have devised special promotions for furthering individual efforts during the month.

Insider's Outlook

By RED KANN

Hollywood, Dec. 28

WHATEVER else company heads may decide is necessary in order to bring the post-war world athwart Hollywood's threshold may be expected to be determined in New York. This is merely another way of observing the bullets will be manufactured there, sent West, and fired here.

On this premise, obviously there arises no need for meetings in Hollywood in sequel to the three days of them held originally in the East. Thus, it becomes "inconvenient" to proceed with the announced followup, first scheduled for Dec. 15, *et al,* although there was another reason as well. This was the Lester Cole trial, first of the actions by the "unfriendly 10" in the House Un-American Committee investigation into Communism for reinstatement of their contracts.

■

If the New York group had met here as per original plan, many of those gathered might have found themselves in the witness box rather than in the conference room of the Producers' Association or a remote hotel suite whipping up additional economies. As it was, Eric Johnston caught the brunt of it and a fine going over by Judge Yankwich.

But the idea of huddling in Hollywood 10 days before the Christmas-New Year's holidays was never adroit, at best. Worse timing would be difficult to imagine. Whether exaggerated or not, sensitivity is a permanent Hollywood characteristic. Whispers, not always based on the correct facts, have a habit of becoming a roar in no time flat at this end of the line.

■

It was widely known, because it had been reported generally, that the New York meetings had probed methods of reducing negative costs with an ever-hopeful eye turned toward self-containment in the domestic market. Yet, when an extension of the intention was set up for discussion in Hollywood itself, it seemed to be different and alarming. Actually there was nothing different about it.

Faces already long got longer, and some of the faces belong to important executives. They began to be concerned all over again about the effect on pictures in progress and others planned for early launching in 1949. The set-back date of January 26 failed to provide appreciable relief. Moreover, as long as the meetings are officially programmed, the condition will not be relieved.

For these reasons, and perhaps for others as well, this enterprise which would have been widely sprawled throughout Hollywood's front yard may never come to pass.

■ ■

Nate Blumberg is out in the open with a sort of frank comment which others here prefer to discuss privately. In divulging U-I's program of 28 top budgeteers for 1949, he said:

"These productions, both completed and planned, are being made at the proper cost in relation to present market conditions . . . there has been no reduction whatsoever in quality or showmanship values. . . . As a matter of fact, the productions are essentially an improvement over those of other years because our studio has eliminated the wasteful and meaningless frills that grew out of war-boom extravagances."

It is significant that he did not feel it required to talk about dollars; that he confined himself to a discussion of what he regards as values. This is good sense, sound business and an example of one approach Hollywood might well heed.

What the merchandise has, not what it costs, is of principal interest to the exhibitor, and, after him, the public. Audiences want entertainment, and entertainment is not necessarily guaranteed by an overflowing budget as sad and plentiful experience long since has demonstrated. How much and to whom is the producer's own business.

■ ■

Incidentally, no available sympathy may be found in Hollywood for the Finneran plan onto which Allied has latched as a method of curbing errant stars via sanctions added to a revised Production Code.

Responsible studio executives do not deny the problem, or the worry. But they don't deny the difficulties [mostly legal] of correcting it, either. Meanwhile, the critical exhibitor, who is on the square about the matter, has his own answer. Simple, too. All he has to do is not buy any attraction harboring performers in unfavorable headlines, or refuse to run such a show if he has bought it.

Newsreel Parade

THE rescue attempts for the marooned airmen, the Chinese gold rush, and Petrillo signing a new recording pact are current newsreel highlights. A lighthouse demolished and Connie Mack celebrating his 86th birthday are among other items included. Complete contents follow:

MOVIETONE NEWS, No. 104—Paland rescue attempt. Riot in Rome. [illegible] house demolished. Halloran Hospital stages entertainment for veterans. Petrillo signs new recording contract. Connie Mack celebrates his 86th birthday. Swimming in Florida.

NEWS OF THE DAY, No. 234—Marooned airmen await rescue. Petrillo ends ban on recorded music. President Truman greets neighbors. Big guns dismantled. Rioting in Rome. Converts baptized in Japan. School days for pooches in Boston.

PARAMOUNT NEWS, No. 37—Headline news stories of 1948.

UNIVERSAL NEWS, No. 208—Stranded fliers await rescue by air and sea. Scrap 16-inch guns. Lighthouse demolished. China gold rush. Persons in the news: Connie Mack at 86; Petrillo ends recording ban; President Truman at home. Florida swimming.

WARNER PATHE NEWS, No. 39—Race to rescue airmen on ice cap. President Truman at home. Shanghai gold rush. Berlin keeps warm. Painting of David arrives in the U. S. Paris ski fasbions. Australian weight-lifting champ.

M. P. Sales Corp. Gets 3 Pictures

Neil Agnew and Charles Casanave have acquired three productions for U. S. distribution by their new Motion Picture Sales Corp., from Nat Wachsberger, Continental European producer now visiting here from Paris. First picture, "Beggar in Rome," is now in work in that Italian capital. The remaining two, to be in English, will be made in Italy and probably in Africa.

Agnew and Casanave will leave New York for Hollywood early next week to confer with three producers on distribution and with bank interests.

Baldwin Resigns as SRO Promotion Head

Ted Baldwin, national promotion and exploitation director of Selznick Releasing Organization, has resigned, effective Friday, to open his own public service relations office, Ted Baldwin, Inc., it was announced here yesterday by Robert M. Gillham, SRO Eastern advertising-publicity director. Baldwin, who will continue in an advisory capacity at SRO, was promotion manager of Columbia Pictures before joining Selznick five years ago.

M-G-M Weighing Appeal

HOLLYWOOD, Dec. 28.—M-G-M attorney Herman F. Selvin has filed nominal objections, citing legal technicalities, to the decision rendered by Federal Judge Leon Yankwich in Lester Cole's suit against M-G-M for reinstatement of his screen writer's contract. The action by Selvin, a brief forwarded to Palm Springs where the jurist is spending the holidays, is understood to have been taken for the purpose of keeping the avenue open for an appeal if Loew's executives decide on that course within 20 days.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor, Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.



At Radio City Music Hall and across the nation it's causing a box-office celebration.

START THE NEW YEAR WITH A RIGHT!

(And more Happy New Year News! M-G-M's 'COMMAND DECISION' World Premiere in Los Angeles! First 2 days set new all-time record!)

NY Critics Choose 'Sierra' Best in '48

New York film critics at a meeting here yesterday voted Warner's "Treasure of Sierra Madre" as the best picture of 1948 with nine votes on the sixth and last ballot, only one vote more than that given "Hamlet." On the first ballot "Treasure" was picked by only five of the 18 members of the group, "Hamlet" got eight votes. "Snake Pit" was the original choice of four, and "The Search" received one vote.

Olivia DeHavilland for her performance in "Snake Pit" was the unanimous choice of all 18 critics on the first ballot as best actress of the year. Laurence Olivier ("Hamlet") was accorded top honors as male actor with 11 votes, followed by Walter Huston ("Treasure") with seven votes. Ivan Jandl ("Search"), also a nominee, was given one vote on the first ballot.

John Huston ("Treasure") was named best director, followed by Olivier who was director as well as star of "Hamlet."

"Paisan" was the best foreign film, according to the critics, with 12 votes, followed by "Four Steps in the Clouds," "Monsieur Vincent" and "Symphonie Pastorale."

N. Y. Critics Side With U.K. Colleagues

New York Film Critics, meeting here yesterday, voted to "express immediate accord" with their British counterparts in their dispute with M-G-M, London, in the libel suit involving British critic E. Arnot Robertson. The New Yorkers announced their intention to "render financial assistance in whatever way we may determine as practical."

Barred from screenings of M-G-M films on the alleged grounds that public tastes were "unknown to her," Miss Robertson, critic of the British Broadcasting Corp., was awarded $6,000 in a libel action against the film company. The decision was reversed by a higher court. Miss Robertson is now attempting to bring the case to the House of Lords.



Have YOU tried a SKYBERTH on American's famous DC-6 "MERCURY" flight to LOS ANGELES?

Phone HAvemeyer 6-5000 or your travel agent

Ticket Offices: Airlines Terminal
Rockefeller Center • Hotel New Yorker
120 Broadway • Hotel St. George

AMERICAN AIRLINES

Tighter Trust Law

(*Continued from page* 1)

ability and feasibility of eliminating vertical integration in manufacturing and distribution with a specification of the corporations to which such elimination should apply."

Ploeser explained that he and Patman thought divorcement the ultimate solution for the film, oil and steel industries, but that he thought divorcement must be recommended industry-by-industry, and that the committee was not prepared to spell out exactly which industries required divorcement and which did not."

16 Recommendations Made

These recommendations were but three of 16 backed by the committee for tightening the anti-trust laws. The committee's final report was approved unanimously at a meeting today attended by four committee members. Despite this bi-partisan backing, however, many Capitol observers do not believe that the committee's recommendations will get too far next year.

During the fall, the committee held hearings in Washington and 12 other cities, various independent exhibitors testified at the out-of-town hearings, and Allied General Counsel Abram F. Myers was a witness at the Washington hearings.

Other of the committee's recommendations called for tougher penalties, bigger anti-trust appropriations, and restrictions on consent decrees. The RKO consent decree came in for criticism during the Washington hearings.

At one point in its report, the committee said that independent exhibitors still must take bad films in order to get good ones "in plain contravention of the Supreme Court's ruling," and it also criticized the major producers for favoring their own theatres, straining clearance interpretations, and artificially restricting product.

Here are some of the committee's recommendations that could affect the film industry:

1—More adequate penalties. Persons found guilty of violating the anti-trust laws would be barred from serving as company officers or directors for a time. Parties injured by price discrimination to institute treble damage suits—at present, only victims of price conspiracy can do that.

2—More adequate anti-trust appropriations.

3—Creation of a bi-partisan anti-trust court, which would "facilitate trial and appeal of cases, would provide judges with a specialized knowledge of the anti-trust laws and would result in uniform decisions regarding the anti-trust laws." Anti-trust cases would start in this court and be appealed directly to the Supreme Court.

4—Prohibition of mergers tending to lessen competition when the merging is done by purchase of physical assets. At present, the law bars only such mergers via the stock-purchase route.

Amend Robinson-Patman Act

5—Amending the Robinson-Patman Act to prohibit discriminations in rentals or royalties, including patented and copyrighted articles, which are leased or licensed in interstate commerce.

6—Amend the anti-trust laws to require every firm to make available to all customers a complete schedule of "all quantity discounts allowed."

7—Amend the Internal Revenue code to provide that losses sustained by individual units of interstate chain organizations should not be deductible by the parent organization for computing its taxable income where the loss is caused by sales made below cost or at unreasonably low prices to eliminate local competition.

8—No consent decree could be entered where the offense charged involves a conspiracy to control prices or supply certain other offenses. Where consent decrees are used, the defendants must be amenable to the penalties cited above. Moreover, such decrees must be announced publicly at least 60 days before their promulgation by the court and notice should be given in the Federal Register of their content. Then any party affected can object, and appeal if the court refuses to note his objections.

9—The FTC would study vertical integration and recommend industries to be broken up. It would also study interlocking directorships, the "abuse of economic power to utilize costly infringement suits as a weapon" to prevent small firms from developing new devices, the possibility of preventing sales below cost to destroy competition, and other subjects.

In a section summarizing the testimony from film industry witnesses, the committee's report said that producers have scaled down their block-booking demands somewhat so that an exhibitor "now agrees to take only four or five pictures at a time, instead of 40. But three out of the four pictures which the independent exhibitor must take in order to be assured of a good picture often are undesirable pictures that he wouldn't want to show in his theatre. This is in plain contravention of the Supreme Court's ruling."

Report Hits NSS, CRI

The report declared that many witnesses complained of the monopolistic practices of National Screen Service, Inc. Witnesses testified, the committee said, "that this company is very arbitrary in its prices and can afford to be, since there is no other competitor. If you don't pay National Screen's high prices, there is nothing that the exhibitor can do about it. He just doesn't get the previews of coming attractions."

Still other criticisms were leveled by the committee against Confidential Reports, Inc. It said that this is owned and controlled by the film companies and "there is constant temptation for the owning companies to exchange information as to the earnings of the theatres and to use such information in pricing their films, and the exhibitors are convinced that the agency is a factor in the high film rentals against which they complain."

Rep. Ploeser was asked whether the RKO decree went far enough to satisfy the committee. He said he wasn't familiar with the decree, but that as a general principle, "When you have a close enough relationship left so that the distributor can influence theatre policy, you haven't gone far enough." He said that generally speaking he believed an independently-owned circuit was not as objectionable as a producer-owned circuit of the same size.

Goldens To Do 'Penny'

Robert S. and Edward A. Golden have signed a deal with the New York *Herald Tribune* for motion picture rights to "Penny," serialized 'teen-age character created by Harry Haenigsen and syndicated by the newspaper. Production will start early in 1949 for fall release to coincide with the novel of the same name to be published at that time.

'Paleface' Paces 'Rio' In Initial Runs

"Paleface," which opened at scores of situations around the country within the last week, is nearing, repeating and in some spots surpassing grosses of "Road to Rio," which was one of Paramount's most successful films last season, according to field reports. In San Francisco, "Rio" did $19,500 over a four-day span, including Christmas Day, last year. "Paleface" was within a few dollars of that mark for a like period this year. In Knoxville, "Paleface" is credited with $5,500 for two days, compared with $5,000 for "Rio." The new film is drawing top returns also in Chattanooga, Chicago ($31,000 in three days), Cleveland, Detroit, Little Rock, Miami and other cities.

Dembow at Albany TOA Meet Feb. 2

ALBANY, N. Y., Dec. 28.—George Dembow, sales vice-president of National Screen Service, will attend an Albany Theatre Owners of America luncheon-meeting at Jack's Restaurant on Feb. 2 to discuss with exhibitors local operations of the company. Dembow wrote Leonard Rosenthal, top executive director here, he would be glad to attend and has arranged to bring along William B. Brenner, NSS vice-president of operations.

Several exhibitors complained at a recent TOA meeting about National Screen charges.

TOA Conciliation

(*Continued from page* 1)

as being due not to the likelihood that, generally speaking, no complaints exist, but rather to the likelihood that the complaints which are pending have not yet "filtered" through. He pointed out that the Smith-Berger conciliation plan embraced by Allied States Association units was available for some time before exhibitors undertook to file complaints.

The TOA plan calls for local boards made up of a TOA exhibitor, a representative of another exhibitor unit and an unaffiliated third party.

Two More Settle

(*Continued from page* 1)

Liberty, an opportunity to compete for first-run product.

Final settlement between defendants Indiana-Illinois Theatres, Dunelake Theatre Corp.; and Lido Amusement Co. is now being made. The case, in litigation for a year, was recently settled with Paramount, Warner and Republic.

Defendants' attorney is Miles Seeley; Seymour Simon represented the plaintiff. An undisclosed cash sum covering court and lawyers' fees was also made.

Ray Wigton of Loew's

Ray Wigton, 50, stage manager of Loew's Theatre, Dayton, Ohio, since 1924, died suddenly on Christmas Day of a cerebral hemorrhage, the circuit reported here yesterday. He is survived by the widow, a daughter, and several grandchildren.

Mrs. Dorothy Landau

CHICAGO, Dec. 28.—Mrs. Dorothy Landau, wife of Charles Landau, operator of the Kedzie and Annex theatres here, died last night after a prolonged illness.

A T & T 'Time-Slots' On Video Expected

American Telephone and Telegraph is expected to disclose this week its decision on the allocation of time-slots for the four television networks on its coaxial cable and microwave radio relay systems linking the East and Midwest. Operations over the new [illegible]are scheduled to begin on Jan. 12. [illegible]he four networks—Columbia, National, DuMont and American—failed in extensive efforts to agree on a formula for sharing the East-Midwest network time. The decision on division of the time-slots thereupon was placed in the hands of AT&T.

Disagreement stemmed, of course, from the desire of each of the four companies to provide the most extensive coverage for sponsors during the best evening time periods. NBC, for example, which boasts of the most sponsored time on its Eastern network, was wary of losing some accounts to CBS if the latter could provide a more advantageous slot.

Agencies and affiliated stations, as well as the networks and sponsors, have been showing an active interest in the entire matter.

Dismiss Stock Suits Vs. Perkins, Bernhard

Robert W. Perkins and Joseph Bernhard yesterday were dismissed by Federal Judge Sylvester J. Ryan as defendants in four of the six stockholder actions which have been brought in U. S. District Court here against them, Warner Brothers, Milton Sperling, Harry M. Warner, Jack L. Warner and Morris Wolf on charges of conspiracy in behalf of United States Pictures to the alleged detriment of Warner Brothers. The four suits in question were brought by minority stockholders Anna Kassner, Irving W. Mencher, Kate Lavine and Edward S. Birn.

Ruling on dismissal motions, the jurist held that the Federal Court did not have jurisdictional power to hear the charges brought against Perkins and Bernhard. The former is Warner vice-president and general counsel, and the latter, formerly president of U. S. Pictures, is now president of Film Classics. U. S. Pictures released through Warners.

Ascap, Video Meet

(*Continued from page* 1)

tuitous basis. Views of both sides on the principle of a contract are generally believed to run parallel to a large extent, indicating that full agreement may be reached without difficulty.

The required number of Ascap members have already vested in the society the right to collect television royalties.

TB Seal Drive Film

Eight thousand prints of Ingrid Bergman's screen appeal on behalf of the annual Christmas seal drive have been distributed to theatres by the National Tuberculosis Association. In addition the film was transmitted over television programs.

Buys Trans Lux House

MEXICO CITY, Dec. 28. — Control has been acquired of Trans Lux's theatre here, the Cine Trans Lux Prado by John Lamont, operator of a circuit in the Mexican provinces.

NCCJ Chairmen

(*Continued from page* 1)

tion chairman; C. J. Scollard, assistant chairman, distribution committee; Gael Sullivan and Edward Lachman, exhibitor co-chairmen.

Also, Nathan Yamins, Maxwell Alderman, Si Fabian and Ted Gamble, national exhibitors committee; Gil Golden, advertising-publicity director; Gus Eyssell, New York area exhibitor chairman; Joe Vogel and home office co-chairman; Jack Cohn, home office co-chairman; George Skouras, home office co-chairman; William German, laboratories; Oscar Hammerstein and John Golden, legitimate theatres; Louis Nizer, chairman of the 1,000-plate dinner to be held sometime in February.

The trade press committee, consists of Martin Quigley, Terry Ramsaye, Jack Alicoate, Chic Lewis, Jay Emanuel, Abel Green, Moe Wax, J. M. Jerauld, Jack Harrison, Al Picoult, Harry Brandt and Sid Rechetnik, trade press contact for the drive.

Lefkowitz Named

(*Continued from page* 1)

Eastern district manager, resigning three years later for his most recent post with Warner Brothers in a similar capacity. Lefkowitz was with Warner for 10 years, 1932-42, moving from office manager in the New York exchange, to Metropolitan branch and then district manager. He has been in the industry since 1917, associated originally with First National and RKO.

Dickstein has been with U. A. since 1933. In 1946 he was named executive assistant to Schnitzer.

Bikel has also been in the industry since 1933, when he began in Paramount's contract department, moving from there to the New York exchange. After a four-year stint in the Army, he was with RKO for a year, joining U. A. in 1946 as sales assistant to the Western division head.

Menuhin To Meet Press

Morris Safier, distributor of "Concert Magic," starring Yehudi Menuhin, will be host at a trade press reception this afternoon at the Hotel Stanhope here for Menuhin.

Wilson Coming? Yes, Er, No. (Or Maybe)

LONDON, Dec. 28.—It is now officially revealed that no definite commitment had been made for Harold Wilson, president of the British Board of Trade, to visit the United States next month.

One of Wilson's higher officers said specifically: "Some Minister, perhaps Mr. Wilson, might go to America in the New Year. There is no question of a January date nor indeed has any decision been taken yet that he will go at all.

"If Mr. Wilson or any other Minister makes the trip it will be primarily to see how British goods are selling over there. Films, in any event, will be only incidental to the trip."

Foreign Chiefs Hear Swedish Money Report

Film companies' foreign managers and their aides here were addressed yesterday by Fred Cunningham, U. S. Civil Attache in Stockholm for the past two years, on the Swedish situation pertaining to remittances on U.S. films, the Motion Picture Association of America reported last night.

John G. McCarthy, MPAA international division chief, presided at yesterday's meeting which was held at MPAA headquarters here. Motion Picture Export Association companies as well as MPAA companies were represented.

RKO Radio, SOPEG

(*Continued from page* 1)

its victory over AFL's IATSE Motion Picture Home Office Employes Local No. H-63 in a recent shop election conducted by the National Labor Relations Board.

SOPEG's demands call for a 25 per cent general increase for the home office "white collarites," three weeks vacation for workers who have had five or more years' continuous RKO employment, arbitration privileges and security guarantees. Minimum salary demands are for $30 per week for messengers and $35 for junior clerks.

2 Mexican Circuits

(*Continued from page* 1)

of almost all areas of Mexican exhibition. Heretofore at "swordspoints," the two circuits were encouraged by Seidelman to end their feud, which, according to the E-L executive, had caused a theatre-building "battle" which served only to overload Mexico City with film houses. By next June, he pointed out, 15 new theatres will be completed, bringing the city's seating capacity to over 300,000, for a population of 2,500,000.

Seidelman said he succeeded in his original purpose in bringing the two competitors to an understanding by their agreeing that each shall exhibit half of the 20 pictures which E-L will have for Mexican release in 1949. Whereas, Seidelman explained, it is "difficult to get product played properly in Mexico" under ordinary conditions, the split deal will make it possible for E-L to have its 20 released in Mexico City before the end of June.

Under the plan, Azcarrago, who is RKO Radio's partner in the ownership of Mexico's Churubusco Studio, has taken an option for a 50 per cent interest in some small inland circuits, according to Seidelman. Moreover, he said, Azcarrago and Espinosa have made a deal under which each will take certain closed towns. The latter arrangement, according to Seidelman, will involve some shiftings of theatre operations between the two. Only a small Mexico City circuit is expected to elude a tie-up with the planned monopoly.

Reports that theatre business is "off" in Mexico are inaccurate, Seidelman said. Actually, he explained, business is as good as it ever was.

Harmon, Rubin in D.C.

WASHINGTON, Dec. 28.—Francis Harmon, vice-president of the Motion Picture Association of America, and Robert J. Rubin, counsel for the Society of Independent Motion Picture Producers, were callers at the State Department today where they discussed new adverse conditions in the South African market. Harmon is scheduled to leave for Johannesburg next Monday. Both he and Rubin will be back in New York from here tomorrow.



Take your lead for '49 from the leader!

20th CENTURY-FOX

LEADS

the entire industry on Motion Picture Herald's list of Box-office Champions... on Variety's Score-board of Hits... on Film Daily's 10 BEST Poll... on Boxoffice Barometer ...the top feminine boxoffice star, Betty Grable, and top box-office new male star, Richard Widmark, on Showmen's Trade Review Poll...



the Snake Pit



YELLOW SKY



That Wonderful URGE



Chicken Every Sunday



a Letter to Three Wives



DOWN TO THE SEA IN SHIPS

Accurate Concise and Impartial

MOTION PICTURE DAILY

IN FILM NEWS

VOL. 64. NO. 126 NEW YORK, U.S.A., THURSDAY, DECEMBER 30, 1948 TEN CENTS

FILE COPY DO NOT REMOVE

MR. JOYCE O'HARA,
MOTION PICTURE ASSOC. OF AMERICA,
28 WEST 44TH ST., 21ST FL.
NEW YORK, N.

Para. Sale of Netoco Shares Is Due Today

New England Co. To Be Wholly Owned by Para.

BOSTON, Dec. 29.—Paramount home office executives are scheduled to come here tomorrow for the formal closing of the deal by which its minority interest in Netoco Theatres is being sold to the newly formed American Theatres Co., headed by Samuel Pinanski.

Netoco stockholders met here this week and gave their approval to the final arrangements, clearing the way for the actual dissolution of the Mullin & Pinanski operations and the formation, in its stead, of American Theatres and New England Theatres.

The price to be paid by American for Paramount's interest in the approximately 50 theatres will not be divulged at this time but will be reported by Paramount to the U. S. District Court in New York at a later date, according to Benjamin A. Trustman, counsel for American Theatres.

Paramount is understood to be sole owner of the New England Theatres company, which Martin J. Mullin will operate for it. It consists of 54 theatres.

RKO Sells Interest In Allen to W. B.

Effective Jan. 1, Warner Brothers Theatres will take over the management of the Allen Theatre, Cleveland, Warner having acquired RKO's 50 per cent interest in the house, it was disclosed here yesterday by Warner.

For the past several years RKO has operated the Allen for itself and Warner. The Allen has 3,009 seats and will continue to be operated as a deluxe first-run.

The present managing staff of the theatre will be continued.

NCA Probes Public Film Preferences

MINNEAPOLIS, Dec. 29.—Questionnaires were mailed to members last week by North Central Allied seeking public preferences in high allocation films which bring in low grosses, plus type of story (crime, sex, costume, etc.) "most frequently disapproved" by patrons.

NCA's bulletin also asks indepen-

(*Continued on page 4*)

Johnston Calls off January Coast Meet; None Is Now Slated

Postponement of the scheduled meeting of company presidents and top studio executives of member companies of the Motion Picture Association of America was confirmed yesterday by Eric Johnston, MPAA president, in a telephone conversation with his New York office from Spokane, where he is spending the holidays.

Johnston disclosed that the meetings, scheduled to be held in Hollywood Jan. 26-28, were being postponed because of a lack of a quorum.

The probability that the scheduled meeting would not be held was reported earlier due to the indicated Florida vacation plans of several of the company presidents. Johnston's failure to set a new date for the meeting also indicates that it may not be held at all. Primary purpose of the meeting was to review the continuing need for production economies and to discuss methods of obtaining them.

From present indications, the further economy programs will be developed at home offices.

6 Industry Shorts In the First Year

"Movies and You," industry promotional series, will comprise six subjects for distribution within the first year, it was revealed yesterday when the Industry Film Project Committee announced that the fifth and sixth shorts are now in production.

The fifth in the series is titled "The Screen Actor," which Metro-Goldwyn-Mayer is producing. Paramount this week started work on "A Film Goes to Market," which tells the story of film distribution.

"Movies and You" series will be released as follows: "Let's Go to the Movies," RKO Radio, March 1; "This Theatre and You," Warners, May 1; "Movies Are Adventure," Universal, July 1; "The Art Director," 20th Century-Fox, Sept. 1; "The Screen Actor," M-G-M, Nov. 1, and "A Film Goes to Market," Jan. 1, 1950.

William Savage, RKO Attorney, 51, Dies

Funeral services will be held at Fairchild's Funeral Parlor here today for William S. Savage, 51, executive of RKO Radio's legal department, who died at his Garden City home yesterday. His widow survives.

Savage, a combat Colonel in the U. S. Army during World War II, joined RKO Radio in 1932 as a real estate department executive, later transferring to the legal department.

Wants 50 Million for US Program Abroad

Washington, Dec. 29.—Rep. Mundt suggested today that the State Department's overseas information program be expanded to an annual budget of $50,000,000. The program is now running on less than $30,000,000. "It's time we did this information job with long pants on," said Mundt, a Senator-elect.

Allied Satisfied with House Unit Report

WASHINGTON, Dec. 29.—Allied States Association will probably not file an additional statement with the House Small Business Committee on complaints of independent theatre owners, according to Allied general counsel Abram F. Myers.

When Myers testified before the committee last month, he promised to file an additional memorandum of complaints and recommendations with the House group some time after Allied's convention. The House committee issued its report yesterday, approving two Allied suggestions for amending the anti-trust laws but fence-sitting on the divorcement issue.

Myers refused to comment on the report until he has had a chance to read it himself, but he did indicate that since Allied's two major suggestions had been approved and since the committee said some nasty things about the major film firms, he did not think the additional statement would be filed. "I don't want to be in the position of the young lawyer who kept arguing his case after the judge said he didn't want to hear any more," Myers said. "The judge finally told the lawyer that he favored his side in spite of his arguments."

Hoover Again Heads Miami Variety Tent

MIAMI, Dec. 29.—George C. Hoover, general manager of the Greater Miami Paramount Theatre circuit, has been reelected chief barker of the local Variety Tent No. 33, with Mitchell Wolfson, president of Wometco Theatres, to serve again as first assistant. Other officers named were: Dan Fitch, second assistant; Arthur Schwartz, dough guy; Don Lanning, property master; William Shane, fixer.

In its first year and a half the tent has dispersed more than $70,000 to various Miami charities, Hoover reported. Included was $20,000 to the South Florida Children's Hospital, now under construction in Coral Gables. The club will consider a proposal to underwrite the entire project.

SIMPP-MPA At Issue Here, Abroad

Conflict on South Africa Indicates Complete Rift

Conflict between the Motion Picture Association of America and the Society of Independent Motion Picture Producers was clearly in evidence yesterday as Ellis Arnall, new SIMPP president, began a series of meetings here with others prominent in the organization to decide on measures to be taken in dealing with problems in the South African market.

SIMPP feels that the U. S. State Department should be called upon to represent the industry in this and other foreign countries and sees MPAA vice-president Francis Harmon's forthcoming trip to Johannesburg to represent MPAA members as contrary to SIMPP policy and possibly jeopardizing its position.

Both Harmon and Robert J. Rubin, SIMPP counsel, were in Washington on Tuesday to visit the State Department.

Arnall is expected to remain in

(*Continued on page 2*)

Hughes Aide Admits Bid, Denies Talks

HOLLYWOOD, Dec. 29.—Sale of Hughes Tool Co. would not necessarily involve RKO or other Hughes interests, a spokesman for Hughes asserted here late today. Citing Noah Dietrich, executive vice-president of the tool firm, as his authority, the spokesman said the reported deal for purchase of the company for $140,000,000 is neither consummated nor in negotiation, although Dillon, Read and Co., New York investment bankers, has made offers at various times, in-

(*Continued on page 4*)

Philippine Import Slashes Omit Films

Fact that Philippine admission taxes are very high—around 30 per cent—is "probably the principal reason" why motion pictures escaped inclusion in Philippine President Elpidio Quirino's import control order signed Tuesday, according to foreign department executives here.

So great is the revenue collected

(*Continued on page 2*)

House Probers May Bar Newsreels, TV

WASHINGTON, Dec. 29. — The "feasibility and desirability" of excluding newsreels, television, radio and other types of information media —though not regular news reporters— from meetings of the House Un-American Activities Committee should be studied by the committee, according to recommendations of two members.

Representatives Mundt and Nixon said that "expert counsel selected from among the recognized publicity media should be consulted in determining this issue." This was one of eight recommendations made by the two members today for improving the committee's procedure.

The two also recommended stiffer penalties for contempt of the committee. All the procedural changes, they said, would give greater protection to witnesses and accused persons, and should go into effect next year. Other recommended procedural changes include: A witness could be represented by counsel; sub-committee reports would not be made public until approved by the full committe; executive sessions would precede all open sessions; accused persons would have a chance to defend themselves in an open hearing; pertinent questions would be submitted by accused persons to the committee; helpful witnesses would have a chance to make a full statement at the end of hearing.

U. S. Hits Judge on Paroling of Ricca

CHICAGO, Dec. 29.—The government has attacked the order by Federal Judge Michael J. Igoe on Nov. 23 last that prevented the return of Paul Ricca, head of the Capone syndicate, to a Federal penitentiary as a parole violator. Arguments against the order were set forth in a brief filed by a U.S. attorney preliminary to an appeal to the U.S. Court of Appeals.

The government statement declared that Judge Igoe had no jurisdiction in the case, that Ricca, who was paroled along with three other Capone gangsters, had not exhausted his administrative remedies since no hearing had been held on the parole board order which revoked the parole and was subsequently upset by Judge Igoe. The court also erred in adopting Ricca's conclusion that the parole board had no evidence of violation of parole except that contained in the revocation warrant, the government held.

Candy Company Fined

CHICAGO, Dec. 29.—Sam Gertz, operator and manufacturer of the V. and V. Candy Manufacturing Co., has been fined $1,000 in U. S. District court here after failing to contest charges that unsanitary material was found in candy shipments to theatres in Indiana, Ohio and Nebraska.

Mickey Rooney Ill

BOSTON, Dec. 29.—Mickey Rooney was taken ill here today and probably will be unable to complete his engagement at the RKO Boston, where he was making personal appearances.

Personal Mention

SAM L. SEIDELMAN, Eagle-Lion foreign department chief, will leave here next week for Argentina.

•

JULES LAPIDUS, Warner Eastern division sales manager, and MIKE DOLID, assistant to BEN KALMENSON, distribution vice-president, are due back in New York today from Boston.

•

JAMES R. SAVAGE, former Balaban and Katz publicist in Chicago, has joined the Chicago *Tribune* as a daily columnist.

•

JOSEPH GIOBBIA, formerly in theatre posts in New York and Los Angeles, has been named manager of the Crown Theatre, Hartford.

•

EDWARD B. ARTHUR of Fanchon and Marco has been elected to the board of directors of the Better Business Bureau of St. Louis.

•

T. P. ARRANTS has been transferred to the State Theatre, Denver, as manager, from the Lincoln in Kearney, N. J.

•

MANUEL ESPINOSA, head of Mexico's Operadora de Teatros circuit, is due to arrive here next week from Mexico City.

•

NORMAN MATHEWS, head of the Princeton Film Center production department, has returned here from Caracas, Venezuela.

FRED LIND, Colorado theatre owner, who was stricken with a heart attack during the Allied States convention in New Orleans, has returned to his home in Rifle, Colo., from a Denver hospital.

•

ED FISHER, former publicity director for Loew's Theatres in Cleveland, is now associated with the Prin-Cor-United Co. of Los Angeles.

•

CHARLES O'CONNOR has been named chief auditor of the Claughton theatre circuit in Miami and Tampa.

•

MILT LANGFORD, former assistant manager of Paramount's Olympia Theatre in Miami, has been named manager of the Allapattah.

•

SANFORD LEAVITT of the Washington Circuit, Cleveland, and his family will leave that city next Wednesday for Miami.

•

DORSEY BROWN has been promoted from office manager to salesman at the M-G-M exchange in Cleveland. GEORGE BAILEY has moved up from head shipper to office manager.

•

LAWRENCE STARK, formerly of Loew's Brevoort here, has been named manager of Loew's Palace, Brooklyn.

•

LEO YOUNG, formerly with the Snider and RKO circuit, has become assistant general manager of Richmond and Stern Theatres, Boston.

Two Pictures in 'B' As Legion Rates 8

United Artists' "Siren of Atlantis" and Warner's "Whiplash" have been rated Class "B" by the National Legion of Decency in its review of eight pictures. Classified A-I were: "Enchantment," RKO Radio; "Henry the Rainmaker," Monogram, and "Jungle Jim," Columbia.

"The O'Flynn," Universal-International; "One Sunday Afternoon," Warner, and "Strike It Rich," Monogram, were rated A-II.

Essaness Loses House

CHICAGO, Dec. 29. — Inability to secure a satisfactory renewal of their 20-year lease, which expires Friday, on the 2,600-seat North Center Theatre, has forced Essaness Theatres to relinquish operation of the house. The Lincoln-Robey Corp., which owns the property and building, will commence operation of the house on Saturday. It has been under Essaness operation for 20 years.

$25,000 to Rogers Fund

CHICAGO, Dec. 29. — The sum of $25,000 was raised by the industry in the Chicago area as its contribution to the Will Rogers Memorial Fund. Final drawings for prizes were held this week at the Variety Club. Ben Robins, Universal-International branch manager in Detroit, won first prize, a Buick. Other winners were John Balaban and George Bloom of National Screen.

Florida Openings Are Set for 'Joan of Arc'

An area opening on Sierra Pictures' "Joan of Arc" has been scheduled by RKO Radio in a number of Florida situations. They include the Paramount, Palm Beach and Colony, Miami Beach, Jan. 12, followed by Jan. 27 openings at the Arcade, Jacksonville; Strand, Tampa; Capitol, St. Petersburg; Ritz, Tallahassee; also the Rose, Thomasville, Georgia, on Jan. 24, and Paramount, Atlanta, Feb. 10.

A Feb. 3 premiere for the film is scheduled for the Art, Sarasota; Grand, Orlando; Lake, Lakeland; and Colony, Ft. Lauderdale. It will also open at the State, Lake Wales, on Feb. 6.

Set 7 'El Paso' Premieres

By arrangement with R. J. O'Donnell of Interstate Theatres, Texas, seven premieres of the Pine-Thomas color production for Paramount, "El Paso," will be staged in Texas and Oklahoma in March and April, Paramount reported here yesterday. World premiere will be held at El Paso on March 28, with stars of the film making personal appearances.

Isadore Hirst, 50

PHILADELPHIA, Dec. 29.—Funeral services will be held here Friday morning for Isadore Hirst, 50, founder of the theatre circuit bearing his name. Hirst died Tuesday at Miami Beach, Fla., where he was vacationing. He was a Variety Club member.

SIMPP - MPAA

(*Continued from page* 1)

New York until the SIMPP program is mapped and then he will proceed to the Coast.

Heretofore, the two organizations worked closely in foreign matters, particularly with regard to the British accord on a 45 per cent quota and the French film agreement. There were differences on the machinery involved in both pacts subsequently, however.

Arnall's recent verbal brushe[illegible]th Eric A. Johnston, MPAA pre[illegible]nt, on the domestic front and the parting of the ways on coping with problems abroad is seen as indicating a definite and complete rift between the two groups.

The feeling was expressed that Harmon might be considered a direct link with the entire U. S. industry by the South African Government when he visits Johannesburg, with the position of the independents not given full recognition. In the MPAA announcement of Harmon's trip it was emphasized that he would represent only the membership of that organization.

Actually, the exact nature of the cut-back on remittances from South Africa has yet to be clarified, but probably will cost U. S. companies about 50 per cent of their remittable earnings. James Mulvey, president of Samuel Goldwyn Productions, also will take an active part in setting the SIMPP plans.

Philippine Imports

(*Continued from page* 1)

by the Philippine government each year on theatre admissions that films were not listed among the 127 luxury and semi-luxury items in 26 categories which will be subject to import cuts as high as 80 per cent beginning Jan. 1, it is believed.

About six months ago, when word of threatening import restrictions against motion pictures reached here from Manila, the American distributors hastened to fill their Philippine vaults with product so as to obviate the ill effects of a possible import cut order. Hence, even if films were included in the new order along with automobiles, alcoholic beverages, jewelry, perfumes, textiles, tobacco, butter, fountain pens, etc., the American film companies would not suffer for some time to come.

Peak Production In Mexico During 1948

MEXICO CITY, Dec. 29.—Mexican production this year far exceeded estimates that envisioned a new low due to the general depression here, increased film financing difficulties and the high cost of raw stock.

A roundup as of Dec. 18 discloses that a new high of 88 pictures was made this year, with five others nearing completion. Three of the latter probably will be finished by Dec. 31, and, if so, a new annual record of 91 pictures will have been established.

'October' Opening Set

Columbia's "The Return of October," produced by Rudolph Mate, will have its New York premiere on Saturday, Jan. 8, at the Mayfair Theatre.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street. Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

Swinging into a

HAPPY WARNER 1949 FOR ALL!



"Adventures of DON JUAN" COLOR BY TECHNICOLOR

"ONE SUNDAY AFTERNOON" COLOR BY TECHNICOLOR

"WHIPLASH"

"FIGHTER SQUADRON" COLOR BY TECHNICOLOR

"DECISION OF CHRISTOPHER BLAKE"

"JOHN LOVES MARY"

"FLAXY MARTIN"

"SOUTH OF ST. LOUIS" COLOR BY TECHNICOLOR

UNITED STATES PICTURE

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

BALTIMORE

Holiday attractions and the holiday weekend boosted box office figures here to a better level than they have reached in several weeks. Capacity audiences on Christmas night and all day Sunday gave a strong start. Estimated receipts for the week ending Dec. 29:

BELLE STARR'S DAUGHTER (20th-Fox re-release) — MAYFAIR (1,000) (21c-29c-54c). Gross: $4,750. (Average: $5,000)
IN THE NAVY (U-I)—VALENCIA (1,466) (29c-37c-45c-54c). Gross: $5,000. (Average: $5,000)
LAST DAYS OF POMPEII (RKO Radio) and SHE (RKO Radio re-release)—TOWN (1,450) (29c-37c-50c-54c) 2nd week. Gross: $9,750. (Average: $11,000)
ONE SUNDAY AFTERNOON (WB) — STANLEY (3,280) (29c-37c-50c-58c). Gross: $14,500. (Average: $14,500)
PALEFACE (Para.) — KEITH'S (2,404) (25c-37c-44c-54c). Gross: $16,000. (Average: $12,700)
RED SHOES (E-L)—LITTLE (328) (90c-$1.20-$1.80-$2.40). Gross: $7,000. (Average at regular prices of 29c-37c-56c: $2,750)
ROGUES' REGIMENT (U-I)—CENTURY (3,000) (29c-37c-45c-54c). Gross: $13,500. (Average: $14,500)
STRIKE IT RICH (AA-Mono.)—HIPPODROME (2,204) (21c-37c-50c-58c) With a holiday stage show. Gross: $19,250. (Average: $17,500)
THAT WONDERFUL URGE (20th-Fox) —NEW (1,800) (29c-40c-50c-54c). Gross: $12,500. (Average: $11,750)

BOSTON

The weather is very cold with temperatures around the 15-degree mark. Several motion picture personalities are playing Boston this week, including Mickey Rooney, Janice Paige, Boris Karloff, Una O'Connor and Nancy Walker. Estimates for week ending Dec. 29:

ANGELS WITH DIRTY FACES (WB) and THEY DRIVE BY NIGHT (WB)—FENWAY (1,373) (40c-80c). Gross: $600 1 day.
ANGELS WITH DIRTY FACES (WB) and THEY DRIVE BY NIGHT (WB)—PARAMOUNT (1,700) (40c-80c). Gross: $1,700. 1 day.
ENCHANTMENT (RKO-Radio)—ASTOR (1,373) (40c-80c). Gross: $15,000.
EVERY GIRL SHOULD BE MARRIED (RKO Radio) and BEHIND LOCKED DOORS (E-L-RKO) MEMORIAL (3,000) (40c-80c). Gross: $22,000. 5 days. (Average: $22,000).
FIGHTER SQUADRON (WB) and LAST OF THE WILD HORSES (SG)—FENWAY (1,373) (40c-80c). Gross: $5,500. 6 days. (Average: $6,000)
FIGHTER SQUADRON (WB) and LAST OF THE WILD HORSES (SG)—PARAMOUNT (1,100) (40c-80c). Gross: $17,500. 6 days. (Average: $17,000)
KISS THE BLOOD OFF MY HANDS (U-I) and JIGGS AND MAGGIE IN COURT (Mono.)—RKO MEMORIAL (3,000) (40c-80c). Gross: $3,500. 2 days.
MAN FROM COLORADO (Col.) and LEATHER GLOVES (Col.) — STATE (3,500) (40c-80c). Gross: $13,000. (Average: $12,000)
MAN FROM COLORADO (Col.) and LEATHER GLOVES (Col.)—ORPHEUM (3,000) (40c-80c). Gross: $25,000. (Average: $27,000)
PAISAN (Rossellini) — EXETER (1,300) (40c-80c). Gross: $3,800. 4 days. (Average: $5,000)
PALEFACE (Para.) and DYNAMITE (Para.) — METROPOLITAN (4,367) (40c-80c). Gross: $32,000. (Average: $27,000)
RED SHOES (E-L-Archer-Rank)—MAJESTIC (1,089) (90c-$2.40). Gross: $11,000.
SITTING PRETTY (20th-Fox) and ESCAPE (20th-Fox) — EXETER (1,300) (40c-80c). Gross: $1,800. 3 days.
A SONG IS BORN (RKO Radio) and IN THIS CORNER (E-L)—ASTOR (1,373). (40c-80c). Gross: $2,200. 2 days.
THE UNTAMED BREED (Col.) and a stage show with Mickey Rooney and Janice Paige. (3,200) (50c-$1.10). Gross: $42,500.



Review

"Incident"

(*Monogram*)

MORE story substance can be found in this 68-minute melodrama than in most films of like nature running half an hour longer. Having plenty to say and do while before the camera, the players are not called upon for histrionics beyond their capacities and the budget. The result is better entertainment than the billing suggests.

Warren Douglas portrays a young man set upon and beaten up by a thug who mistakes him for a crook who is in bad with the city's boss racketeer. Cared for by police and then released, Douglas revisits the scene of the beating, searching for the thug, and runs into a series of expanding complications which eventuate first in the murder of the thug, second in his capture and warning by the boss racketeer, and finally, in his being instrumental in solving the murder and bringing the racketeers to justice. In the course of the proceedings, Douglas falls in love with an insurance company girl detective, played by Jane Frazee. None of the foregoing is as routine and cut-and-dried as this swift synopsis sounds.

Others in the cast are Robert Osterloh, Joyce Compton, Anthony Caruso, Harry Lauter, Meyer Grace, Harry Cheshire and Lynn Millan. Production, by Harry Lewis and Hall Shelton, is well thought out, and William Beaudine directed adequately from a script by Fred Niblo, Jr., and Samuel Roeca, based on a story by Lewis.

Running time, 68 minutes. General audience classification. Release date, Jan. 23.

ATLANTA

Business in all theatres for the holidays was not of the best, running below average. Estimated receipts for the week ending Dec. 29.

FLIGHT LIEUTENANT (Col.) and MORE THAN A SECRETARY (Col.)—TOWER (1,865) (17c-54c). Gross: $5,500. (Average: $5,800).
MEXICAN HAYRIDE (U-I) — PARAMOUNT (2,446) (12c-54c). Gross: $5,700. (Average: $5,800)
ROAD HOUSE (20th-Fox)—ROXY, on a holdover from the FOX (2,446) (25c-50c). Gross: $5,400. (Average: $5,800)
A SOUTHERN YANKEE (M-G-M) — LOEW'S GRAND (2,446) (12c-54c). Gross: $12,500. (Average: $15,000)
YELLOW SKY (20th-Fox)—FOX (4,446) (25c-50c). Gross: $13,000. (Averave: $15,000)

INDIANAPOLIS

A cold wave that struck for the season's lowest temperature is holding down grosses here this week. Four of five attractions are only doing about average or a little better. Estimated receipts for the week ending Dec. 28-30:

BLOOD ON THE MOON (RKO-Radio)—CIRCLE (2,800) (44c-65c) Gross: $11,000. (Average: $10,000)
DANGER IN THE HILLS (M-G-M) and GALLANT BLADE (Col.) — LOEW'S (2,450) (44c-65c). Gross: $13,000. (Average: $11,000)
MEXICAN HAYRIDE (U-I)—INDIANA (3,200) (44c-65c). Fross: $11,500. (Average: $12,000)
ONE BRICK HIGHER (Independent)—KEITH'S (1,300) (44c-65c). This is a documentary made at Purdue University. Gross: $2,600. (Average: $4,000)
THE PLUNDERERS (Rep.) and ROSE OF THE YUKON (Rep.)—LYRIC (1,600) (Average: $4,000)

TORONTO

Theatre business took on an enthusing leap at all Toronto houses for the season, most having a midnight show. Clear and cool weather helped in the comeback for which all programs were new. Estimated receipts for the week ending Dec. 31:

THE GALLANT LEGION (Rep.) and DAREDEVILS OF THE CLOUDS (Rep.) —BILTMORE (938) (18c-30c-36c-55c) 6 days. Gross: $5,200. (Average: $4,500)
GOODBYE MR. CHIPS (M-G-M)—NORTOWN (950) (20c-42c-60c) 6 days. Gross: $5,100. (Average: $4,500)
GOODBYE MR. CHIPS (M-G-M)—VICTORIA (1,240) (20c-36c-42c-60c) 6 days. Gross: $6,500. (Average: $5,500)
MIRANDA (E-L) — ODEON - TORONTO (2,319) (20c-35c-50c-60c-70c-80c-$1.20) 6 days. Gross: $17,000. (Average: $14,500)
THE PALEFACE (Para.) — IMPERIAL (3,343) (20c-36c-50c-66c-90c) 6 days. Gross: $19,600. (Average: $14,600)
RETURN OF OCTOBER (Col.)—EGLINTON (1,086) (20c-36c-50c-66c) 6 days. Gross: $7,900. (Average: $6,400)
RETURN OF OCTOBER (Col.)—TIVOLI (1,434) (20c-36c-50c-66c) 6 days. Gross: $8,900. (Average: $7,700)
THE RETURN OF WILDFIRE (Cardinal) and JUNGLE GODDESS (Cardinal)—DANFORTH (1,400) (20c-36c-50c-60c) 6 days. Gross: $6,500. (Average: $5,500)
THE RETURN OF WILDFIRE (Cardinal) and JUNGLE GODDESS (Cardinal) — FAIRLAWN (1,195) (20c-36c-50c-55c) 6 days. Gross: $5,400. (Average: $4,700)
THE THREE MUSKETEERS (M-G-M)—LOEW'S (2,074) (20c-36c-50c-66c-78c) 6 days. Gross: $18,200. Average: $14,200)
WHEN MY BABY SMILES AT ME (20th-Fox)—SHEA'S (2,480) (20c-36c-50c-66c-90c) 6 days. Gross: $18,700. (Average: $14,700)
YOU GOTTA STAY HAPPY (U-I)—UPTOWN (2,761) (20c-36c-50c-66c-90c) 6 days. Gross: $14,100. (Average: $10,600)

CINCINNATI

Estimated receipts for the week ending Dec. 28:

THE GALLANT BLADE (Col.)—RKO SHUBERT (2,150) (50c-55c-60c-65c-70c-75c). 7 days. 2nd week, on a moveover from the Albee. Gross: $5,000. (Average: $5,000)
JUNGLE JIM (Col.)—RKO LYRIC (1,400) (50c-55c-60c-65c-70c-75c). 2nd week, on a moveover from the Grand. Gross: $5,000. (Average: $5,000)
THE LAST DAYS OF POMPEII (RKO Radio reissue)—RKO GRAND (1,500) (50c-55c-60c-65c-70c-75c). Dualed with **SHE (RKO Radio reissue).** Gross: $12,000. (Average: $8,000)
MEXICAN HAYRIDE (U-I)—KEITH'S (1,500) (50c-55c-60c-65c-75c). Gross: $10,000. (Average: $7,500)
THE PALEFACE (Para.)—RKO CAPITOL (2,000) (50c-55c-60c-65c-70c-75c). Gross: $18,000. (Average: $10,000)
ROGUES' REGIMENT (U-I)—RKO PALACE (2,700) (50c-55c-60c-65c-70c-75c). Gross: $14,000. (Average: $15,000)
THE UNTAMED BREED (Col.)—RKO ALBEE (3,300) (60c-95c). On stage: Peter Lorre, Allen Jenkins and other acts. Gross: $20,000. (Average: $30,000)

NCA Probes Public

(*Continued from page* 1)

dent exhibitors to "render a public service" in disclosing information as proof that an independent can secure a fair split of product with affiliated theatres under competitive bidding for films.

"Film. company defendants in the government lawsuit have taken the stand that competitive bidding has broken the monopoly of affiliated circuits and that, therefore, there is no reason for theatre divorcement or breaking up of the affiliated circuits." the bulletin points out. "Details are also requested where independents have been unable to compete on bids with affiliated theatres because prices or terms were unreasonably high, or for any other reason."

NCA's board of directors will meet here about Jan. 10, and independent exhibitors have been invited to attend as observers.

Hughes Aide

(*Continued from page* 1)

cluding the present, he added. Offers have also come from other sources, the spokesman declared.

He also said the figure mentioned in the reports of negotiations is "way out of line" with the actual bid, but did not disclose in which direction.

Determination of what might be included in the possible sale would depend upon Hughes' wishes, the spokesman stated. Hughes holds the controlling interest in RKO.

FILE COPY NOT REMOVE

A Very Happy New Year To All

Accurate Concise and Impartial

MOTION PICTURE DAILY

FIRST IN FILM NEWS

VOL. 64. NO. 127 NEW YORK, U.S.A., FRIDAY, DECEMBER 31, 1948 TEN CENTS

Crosby Again Is Top Money Making Star

Leads M. P. Herald-Fame 1948 Box Office Audit

HOLLYWOOD, Dec. 30.—For the fifth consecutive year exhibitors of America have voted Bing Crosby top money-making star in the *Motion Picture Herald* - FAME annual audit of box office personalities. No other star has matched Crosby's record in the 17-year history of the theatre owners' audit.



Bing Crosby

Betty Grable, who topped the audit in 1943, finished second to Crosby for 1948, as she did the previous year.

Abbott & Costello, missing from the Top 10 Money-Makers for the preceding three years, were in third place for 1948. They topped the box office list in 1942.

Gary Cooper rated fourth, making his 10th appearance among the Top

(*Continued on page 4*)

New Extension of Loop Run for 'Pit'

CHICAGO, Dec. 30.—Twentieth Century-Fox has been granted an additional extension of eight days for "The Snake Pit," which was to have concluded its eight-week run at the Garrick here on Jan. 5. The extension was granted by Federal Judge Michael Igoe and uncontested by Thomas Mc-

(*Continued on page 4*)

St. Louis Mayor To Sign 5% Tax Repeal

ST. LOUIS, Dec. 30.—Mayor Kaufmann will sign a measure to repeal the five per cent amusement tax here on Saturday. Repeal of the tax, which has been in effect for one year, was voted by the board of aldermen after a favorable report by the board's legislation committee. For a while the repealer faced a veto by the mayor.

U. S. Says 'Sloppy' House Anti-Trust Report Echoes Only 'Special Interest' Groups

Washington, Dec. 30.—Top Anti-Trust Division officials have characterized the House Small Business committee's report on tightening the anti-trust laws as "sloppy and almost worthless."

One official said that "It was a very poor and inadequate job. There was no attempt to do an intelligent, non-partisan study of the loopholes in the anti-trust laws. They just listened to every special interest group that yelled on their doorstep, and passed along every recommendation that was made to them, whether the recommendation had any merit or not."

Only suggestion of the committee considered likely to get early Congressional action is the Kefauver bill, which has wide Administration backing. This measure would bar firms from acquiring the physical assets of another company where the result substantially lessens competition.

At present the Clayton Act bars only the acquisition of stock.

Express Rate Boost Approved by ICC

WASHINGTON, Dec. 30.—The Interstate Commerce Commission today approved a new single nationwide express scale which will cost Eastern and Southern shippers from 11 cents to 99 cents per 100 pounds more than they are now paying. Film distributors and theatre accessory dealers are among the agency's largest customers.

The increase will go into effect 30 days after Railway Express files the proposed tariffs with the ICC.

The new nationwide scale takes the

(*Continued on page 4*)

Ellis Arnall Here For Trade Briefing

Ellis Arnall, president of the Society of Independent Motion Picture Producers, disclosed here yesterday that he will spend several weeks in New York to familiarize himself with the film industry by way of conferences with independent producers and their representatives and a study of domestic and foreign practices and problems. Additionally, he said, he will spend considerable time in Washington.

In a prepared statement Arnall as-

(*Continued on page 3*)

Television Link of 3,000 Theatres Seen by Skouras

Although visualizing "a lot of headaches and many stormy periods" ahead, Spyros P. Skouras, president of 20th Century-Fox, yesterday predicted the use of theatre television to the extent that it would link as many as 3,000 houses showing the same program simultaneously, increasing audiences by 50,000,000 to 60,000,000 persons and producing grosses three or four times greater than the present level.



Spyros P. Skouras

Theatre television is "sure to come" and when the "headaches" are eliminated motion pictures will form its background, Skouras told a luncheon meeting here of the Radio Executives Club at the Hotel Roosevelt. "The vast facilities of the new art will bring thousands of theatres, national and international, unsurpassed shows which will attract all," he forecast.

"Let us not take it for granted that all is serene in the amusement and entertainment world," he cautioned. "Television is going to give us many, many headaches and many ups and downs. We are tinkering with no mere little gadget or passing fad of the times. We have on our hands a mighty giant and until it is fully developed it will plague us and upset us.

"Meanwhile, motion pictures will serve as the greatest medium of mass entertainment," Skouras said in his informal address. "The film industry is ready to lend its experience and talents to television," he added.

See Tax Dep't Spoiling Benny Shift to CBS

Expected To Rule It Is Not Capital Gains Deal

WASHINGTON, Dec. 30.—Internal Revenue Bureau has decided that Jack Benny's transfer from National Broadcasting to Columbia Broadcasting cannot be considered on a capital gains basis in a reliably reported ruling which would mean that Benny would have to pay the straight income tax if he carries out his new deal with CBS.

He could appeal, it is believed, or possibly, and more likely, work out a new arrangement.

The Bureau is said to be putting the damper on a number of similar deals involving radio and motion picture stars, holding that the item to be sold must be property and not personal service in order to exempt the seller

(*Continued on page 4*)

MGM Will Appeal Cole Suit Verdict

HOLLYWOOD, Dec. 30.—Reports that M-G-M would appeal Federal Judge Leon Yankwich's decision in behalf of screenwriter Lester Cole were confirmed here today by Irving Walker, company attorney. Also, today, Yankwich signed a mandate implementing his decision for the reinstatement of Cole in M-G-M's employ.

Walker said he would move next week for a new trial in Yankwich's court and, if refused, he would take

(*Continued on page 3*)

Ted Gamble-Standard Deal Formally Set

MILWAUKEE, Dec. 30.—Ted R. Gamble formally closed the deal here today by which he acquires a half interest in Standard Theatres, Southern Wisconsin circuit of approximately 30 houses. L. F. Gran, who will continue as general manager of the circuit, and James Coston of Chicago, hold the balance of the stock.

Gamble reportedly will negotiate next with Coston for the latter's interests in unidentified theatres in Indiana and Illinois. Coston is Warner Theatres zone manager in this area.

Personal Mention

ARTHUR H. LOCKWOOD, Theatre Owners of America president, has returned to Boston from New York.

•

JULES WEILL, Masterpiece Productions president, has returned to New York from Los Angeles and San Francisco.

•

HERMAN RIPPS, M-G-M assistant Eastern sales manager, will leave Boston today for New York.

•

LOU J. KAUFMAN, Warner circuit executive, returned to New York yesterday from Cleveland.

•

ROBERT BERTRAM has sold the Iowa Theatre in Schleswig, Iowa, to HOWARD BAYER.

•

R. M. SAVINI, Astor Pictures president, has left here for the Coast.

MPAA Preview Units To Hear Mrs. Wilder

Frances Farmer Wilder, sociologist, will deliver a lecture on "The Movies (sic) and How They Affect Us" before the East Coast preview committees of the Motion Picture Association of America at the Preview Theatre here on Jan. 24.

The preview committees represent 17 national organizations and community groups with a total membership of from 16,000,000 to 20,000,000.

Johnston Back Jan. 10

WASHINGTON, Dec. 30. — Motion Picture Association of America president Eric A. Johnston is not expected back here from Spokane until some time after Jan. 10 or 12. He is slated to address the Los Angeles Chamber of Commerce Jan. 26.

Truman Plugs Television

WASHINGTON, Dec. 30. — Motion Truman said today that television played a very important part in the election and that his only regret was that it had not reached more people.

FTC 'Col. Blimp' Ad Case To Open Here

Washington, Dec. 30.— Hearings on the Federal Trade Commission's complaint against United Artists, charging misrepresentation in the advertising of "Colonel Blimp," will definitely get under way next week in New York, FTC officials said.

They said a hearing is set for Jan. 6 and that FTC witnesses will testify. The FTC case is expected to be a lengthy one, with defense witnesses not appearing for some time.

Tradewise . . .

By SHERWIN KANE

IT is most reassuring to observe in the new product the proof that the economies effected within the West Coast studios during the past year have not impaired the quality of the pictures made there.

In fact, it is not unusual nowadays to find actual improvement in the quality of many pictures produced at lower costs over that which, until recently, was standard for pictures produced at much higher costs.

There has existed and, in some instances both inside and outside the industry there continues to exist, a belief that Hollywood production costs could not be pared without a sacrifice of picture quality.

That belief stemmed mainly from lack of familiarity with what had happened to production budgets during the war years and the immediate post-war period. Neither did it take into account the large proportion of such budgets which represented sheer waste—production expenditure which bought nothing for and added nothing to that which ultimately appeared on the screen.

•

Shooting scripts for top budget productions up to a year ago commonly consisted of 150 to 180 pages. That, despite the fact that it was generally realized that in final form the intended release length of the picture would not and could not accommodate more than approximately 125 pages of shooting script.

Moreover, inadequate and faulty production preparations commonly held actual shooting to less than two script pages per day, and one-half page a day was no rarity.

Today, for example, at Universal "A" picture scripts are down to 120 pages and near that at other studios.

Today, the shooting of four to seven pages of a script daily is not uncommon.

That represents tremendous savings, not only in wages, but also in raw stock, lights, cutting, editing and many other phases of production costs.

And still the same, or better, picture quality is being delivered to the screen.

The proof is in many of the pictures you are seeing now and will be seeing in the months to come.

The new product is not, as many feared, cheap stuff or thinly disguised "B's."

Even in an age of production efficiency such as is being bred in Hollywood today, top producers, directors, stars and writers, fine story properties and excellent supporting casts, do not combine to produce a "B" picture.

When you look at the new product, the hallmarks of quality will not be found missing.

There is enough of it in sight already to reassure the doubting.

Enough to spell Good News for the industry in the New Year.

• •

By participating in American Brotherhood Week, Feb. 20 to 27, American theatres can perform one of the most vital services to their communities and to the nation that the times afford.

Brotherhood Week is a campaign against bigotry.

It is a time during which appeals are made to reasoning people and to the innate decency in all men to purge themselves of meanness and, if they be there, of hatreds. It endeavors to do more, by inspiring men of goodwill to combat bigotry wherever it is encountered, and encouraging them to convert to Brotherhood any who harbor the poison of prejudice.

It serves the very essence of American unity, for nothing weakens a united America more surely than bigotry. Therefore, the work of the National Conference of Christians and Jews, sponsor of Brotherhood Week, is the highest type of Americanism.

The campaign within the industry this year is headed by Ned E. Depinet, president of RKO.

His committee will make available to theatres throughout the country complete campaign material. Theatres are asked to employ it to the best advantage, to show the Brotherhood Week film subjects and to obtain at least 10 new members whose contributions to NCCJ shall be at least $1 each.

That is a small price to pay for service to the nation, for the respect and goodwill of the best elements of every community and the good name of your industry.

• •

TRADEWISE wishes you a healthy, happy and prosperous New Year.

RADIO CITY MUSIC HALL
Rockefeller Center
"WORDS AND MUSIC"
JUNE ALLYSON · PERRY COMO
JUDY GARLAND · LENA HORNE
GENE KELLY · MICKEY ROONEY
ANN SOTHERN
Color by TECHNICOLOR
A Metro-Goldwyn-Mayer Picture
THE GREAT CHRISTMAS STAGE SHOW

Cary Grant in Every Girl Should Be Married
IN PERSON BURT LANCASTER & Others
CAPITOL

"The Paleface" Color by Technicolor
Bob HOPE Jane RUSSELL
A Paramount Picture
IN PERSON BENNY GOODMAN And His Orchestra featuring BUDDY GRECO with PEIRO BROS BUDDY LESTER
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

Samuel Goldwyn presents
"ENCHANTMENT"
Starring
DAVID NIVEN TERESA WRIGHT
EVELYN KEYES FARLEY GRANGER
Released by RKO Radio Pictures, Inc.
ASTOR THEATER
Broadway & 45th Street

J. Arthur Rank presents
"THE RED SHOES"
Color by Technicolor
BIJOU THEATER, 45th Street West of Broadway
All Seats Reserved, Mail Orders
Twice Daily
Extra Matinees Saturday and Sunday
Late Show Saturday Evening 11:30
An EAGLE LION FILM Release

DARRYL F. ZANUCK presents
OLIVIA de HAVILLAND
the Snake Pit
Directed by ANATOLE LITVAK · Produced by ANATOLE LITVAK & ROBERT BASSLER
20th CENTURY-FOX
RIVOLI B'way & 49th Street

TOO BIG FOR ONE THEATRE
JOAN OF ARC
starring INGRID BERGMAN
A VICTOR FLEMING PRODUCTION
COLOR BY TECHNICOLOR
CAST OF THOUSANDS with JOSE FERRER
FRANCIS L. SULLIVAN · J. CARROL NAISH
WARD BOND · SHEPPERD STRUDWICK · HURD HATFIELD · GENE LOCKHART · JOHN EMERY
GEORGE COULOURIS · JOHN IRELAND and
CECIL KELLAWAY · based upon the stage play 'Joan of Lorraine' by MAXWELL ANDERSON
Screen Play by MAXWELL ANDERSON and ANDREW SOLT · Art Direction by RICHARD DAY
Director of Photography, JOSEPH VALENTINE, A.S.C.
Produced by WALTER WANGER
Directed by VICTOR FLEMING
presented by SIERRA PICTURES, Inc.
released by RKO RADIO PICTURES
CONTINUOUS AT THE VICTORIA B'WAY at 46th ST. 7 SHOWS DAILY
RESERVED SEATS AT THE FULTON 46th ST. W. of B'WAY MATS. $1.80 EVES. $2.40

TYRONE POWER GENE TIERNEY
"THAT WONDERFUL URGE"
A Twentieth Century-Fox Picture
ON THE ICE STAGE
BARBARA ANN SCOTT
In Winter Carnival
ON STAGE—Ming & Ling—
Harold Barnes—Gordon Goodman
ROXY 7th Ave. & 50th St.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo. J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald; Better Theatres and Theatre Sales, each published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

Reviews

"Wake of the Red Witch"

(*Republic*)

A ROUSING, two-fisted sea yarn has been given a handsome production treatment and the further bolstering of a large and competent cast headed by John Wayne, Gail Russell, Gig Young, Adele Mara and Luther Adler. The material and ideas of the story have been done on the screen many times before, but the relative ambitiousness of the production weighs in its favor. Adapted to the screen from Garland Roark's best-selling novel of the same name, it looks like Republic has in "Wake of the Red Witch" a picture of sound commercial promise. Merchandising angles for the exploitation-wise exhibitor are unlimited.

The story for the most part concerns the rivalry of two men over one woman, and this opposition becomes the vehicle for a series of incidents that have been staged in powerful patterns of action. Largely through flashbacks the audience sees how the ruthless enmity arose between the two. It evolves that both men, Wayne and Adler, crossed paths by a mutual lust for gold. This jealous opposition between them, however, flared into intense hatred when Adler, through manipulation, married Miss Russell, knowing that she loved Wayne. After her death, Wayne, captain of a gold-bearing sailing ship owned by Adler, deliberately sinks the vessel. His motives, it seems are inspired partially by revenge and partially by the desire for the gold. There ensues a sadistic, cat-and-mouse game by both rivals for the gold, and in the finale, Wayne goes to his death diving for the treasure.

The picture contains many sequences that make for arresting drama of the swashbuckling variety. There are rugged brawls aboard ship; a sea-rescue in shark-infested waters; native ceremonials on a Polynesian island; and a life-and-death undersea struggle by Wayne with an octopus that guards a chest of sacred pearls.

Wayne's performance has a rugged, masculine appeal, while Adler's figure of villainy is cut in brooding and subtle outline. A subsidiary romance between Miss Mara and Young has the happy ending to satisfy the fans.

The picture's title derives from the name of the ship. Edmund Grainger was associate producer and Edward Ludwig directed from a screenplay by Harry Brown and Kenneth Gamet.

Running time, 106 minutes. General audience classification. Release date, March 1.

MANDEL HERBSTMAN

"The Sun Comes Up"

(*Metro-Goldwyn-Mayer*) *Hollywood, Dec.* 30.

TO get the utmost yield from this oddly compounded Technicolor attraction, exhibitors appear obliged to pair Jeanette MacDonald and Lassie on their marques, for it is from their quite different followings that support for it seems most likely to be recruited.

Claude Jarman, Jr., shares prominence with the singer and the dog, and Percy Kilbride sparks the proceedings vitally as a country storekeeper, while Lloyd Nolan and Lewis Stone are present in minor roles. Fact that the story is by Marjorie Kinnan Rawlings, author of "The Yearling," also may have box-office value. The attraction clearly needs pin-point exploitation to accomplish its mission.

Miss MacDonald portrays a concert singer whose adolescent son's accidental death she attributes to his devotion to his dog, Lassie. Grief-striken, she abandons her career and seeks isolation in a mountain community near Atlanta, where her antipathy toward children is broken down by Jarman, an orphan who is drawn into her orbit by Lassie.

Philosophical storekeeper Kilbride contributes to her recovery from despondency, but her impulse to adopt Jarman is thwarted through a misunderstanding. She starts to leave the community but an orphanage fire, in which Lassie rescues Jarman, brings her back. Finally she declares her wish to adopt the boy, and he happily acquiesces.

Robert Sisk's production gives full value to Miss MacDonald's vocal attainments, Jarman's juvenile appeal and Lassie's histrionic ability. Richard Thorpe directed smoothly from a script by William Ludwig and Margaret Pitts.

Running time, 95 minutes. General audience classification. Release date, not set.

WILLIAM R. WEAVER

"Gun Smugglers"

(*RKO Radio*)

TIM HOLT pits himself against the cunning of a group of outlaws who go in for hijacking army guns in this RKO Western. Plenty of action and excitement of the standard variety round out the situations, making the film a satisfactory item in its classification.

Richard Martin serves as Holt's pal, and as soon as the skullduggery breaks out, the pair plunges into immediate action. By way of departure from the usual Western plot, the story has a 10-year-old boy, played by Gary Gray, used by the outlaws as a decoy. There follow the usual bang-up fist fights and rousing rides before the culprits are brought to justice. But before this has come to pass, Holt has taken the lad under his wing and set him on the side of the angels.

Martha Hyer provides the slight feminine angle to the proceedings, with Paul Hurst playing a crusty old Army sergeant, and Douglas Fowley frowning and conspiring as the heavy.

Herman Schlom produced and Frank McDonald directed from a screenplay by Norman Houston.

Running time, 62 minutes. General audience classification. For January release.

M. H.

Ellis Arnall Here

(*Continued from page* 1)

serted that SIMPP's principle of U.S. State Department representation of the industry in dealing with foreign governments will be applied to the problem presented by the blocking of 50 per cent of film revenues in South Africa. He said:

"It is our position that the State Department of our Government should insist that the Government of the Union of South Africa change its regulation so as to provide for fair, non-discriminatory importation of American-produced motion pictures and so as to eliminate unfair currency remittance restrictions."

When reached at his Waldorf-Astoria Hotel suite here, Arnall was asked about his ideas on how acquainting the public with industry affairs would help break what he terms "monopolies."

"Public opinion is a great instrumentality in getting anything done," he answered. Arnall expressed the view that when the public takes a position in any controversy, results are achieved through either legislation or in the courts.

He said that he intends to take up the issue of monopoly in the theatre business on "quite a few" radio programs, including an as yet unscheduled broadcast of "America's Town Meeting of the Air." He said he would not challenge anyone else to a debate on the subject. He said his invitation to Eric A. Johnston, president of the Motion Picture Association of America, was for a "discussion" of monopoly in films, not a "debate." Johnston declined the invitation.

Nat'l Theatres Sets 'Dimes' Collections

For the first time in three years, "March of Dimes" collection cannisters will be circulated in the theatres of a major motion picture circuit, when the annual polio fund campaign gets underway throughout the nation next month. Charles Skouras, president of National Theatres, has agreed that his circuit will take audience collections for the drive "as a public service in view of the severity of the 1948 polio epidemic—the greatest since 1916."

Skouras' action was reported by Basil O'Connor, president of the National Foundation for Infantile Paralysis, in announcing that the "March of Dimes Motion Picture Theatre Week" would be held Jan. 24-31. The full campaign runs from Jan. 14 to 31. O'Connor said Skouras' organization was the first major circuit to permit local theatre operators to have audience collections if they wished. While many independent theatres and small circuits have taken audience collections for the "March of Dimes" since the National Foundation was established in 1938, major circuits, since 1945, have limited their support to showing of "March of Dimes" trailers.

Canadian Premiere of 'Joan' Set for Jan. 21

MONTREAL, Dec. 30.—The Canadian premiere of Sierra Pictures' "Joan of Arc" will take place at the Palace Theatre here Jan. 21. Civic officials and other notables will be in attendance.

RKO Radio has also set a Feb. 1 opening at the University Theatre, Toronto.

Windsor Asks Look At 20th-Fox Papers

WASHINGTON, Dec. 30. — Latest move in the war between the Windsor and Walbrook theatres of Baltimore is a motion filed in U. S. District Court here today by the Windsor.

The Windsor seeks authority to inspect "any papers in the possession of 20th Century-Fox Film Corp," in which any Walbrook official asks the distributor not to give the Windsor films or casts reflections on the operation of the Windsor.

The Windsor originally filed a $600,000 treble damage and injunction suit here against the Walbrook, its officers, and six major distributors, including 20th-Fox and Paramount. When it reached an out-of-court settlement with the former, the Walbrook sued 20th for breach of contract. The Winsdor intervened in this suit, and it is in this suit that today's motion was filed.

An out-of-court settlement in the original suit has also been reached with the Paramount. The original suit still is pending here against the four distributors with whom agreement has not been reached.

Trans-Lux Negotiates For SRO Features

In line with Trans-Lux Theatres plans to switch the policies of all but one of its several theatres from newsreels to regular features, Norman W. Elson, circuit's vice-president, conferred here yesterday with Selznick Releasing Organization sales executives. The SRO office here reported "no deal closed yet" for product to be shown in the Trans-Lux houses.

Elson plans to continue the newsreel policy at only the Trans-Lux Theatre on Broadway here. Houses slated for conversion include three others in New York, one in Washington, one in Boston and one in Philadelphia.

Dr. Greenfield, ITOA Founder, Dies in N.Y.

Funeral services will be held this morning at the Midtown Chapel here for Dr. Leon Greenfield, former New York exhibitor and a founder of the Independent Theatre Owners Association of New York, who died Wednesday.

Survivors included a son, Leo, salesman for Universal-International, and a daughter, Sylvia, who is associated with the Monroe Greenthal Advertising Agency here.

Francis X. Hope, Sr.

PHILADELPHIA, Dec. 30.—Funeral services were held here today for Francis X. Hope, Sr., 77, long active theatrical business manager, who died at his Philadelphia home Monday. Survivors include the widow, Elizabeth; a son, two daughters and a sister, all of this city.

M-G-M Cole Appeal

(*Continued from page* 1)

the case to the U. S. Court of Appeals.

Asked whether this step had been decided as a matter of industry policy, Walker replied in the negative, asserting that it reflects only the policy of Loew's. The appeal must be taken in 10 days after a retrial is denied.

Review

"Trail to Laredo"

(*Columbia*)

ONCE again Charles Starrett as the Durango Kid is at work with his black garb and mask, reversing injustices in traditional Western style. When he arrives on the scene in this standard boots-and-saddle drama the townspeople are not sure whether he is on the side of the outlaws or the law. Action sequences of many types, including fisticuffs, stagecoach holdups, and shootings are presented. Smiley Burnette is cast in a typical comical part and he also provides a few songs.

As the film opens, the Kid is warning a freight line owner not to transport U. S. gold. Hidden gold is discovered in a freight shipment and suspicion is placed on the owner who resists arrest and flees. The Durango Kid sets out to clear the innocent man and to capture the smugglers. A saloon owner is revealed as the leader of the gang. In the ensuing melée the head of the smugglers is killed. The freight line owner is reunited with his young son and the Durango Kid turns out to be a Treasury agent. Colbert Clark produced and Ray Nazarro directed.

Running time, 54 minutes. General audience classification.

Broadcasting's '48 Revenue Is Up 6.5%

WASHINGTON, Dec. 30.—The National Association of Broadcasters today estimated that the broadcasting industry's 1948 revenues will be up 6.5 per cent over 1947, while operating expenses are up 10 per cent.

These are revisions of earlier NAB estimates, made in September on the basis of unofficial figures of the Federal Communications Commission. At that time, the NAB said revenues would be up 7.4 per cent.

Today, on the basis of final FCC figures, the NAB said over-all gross revenue would be up from $374,000,000 in 1947 to $398,600,000 this year, while expenses went up from $212,200,000 to $233,200,000.

25 Variety Tents To Preview AA 'Bad Boy'

DALLAS, Dec. 30.—Col. William McCraw, executive director of Variety Clubs International, will leave here Sunday on a nation-wide tour of 25 Variety Clubs tents, with the first print of "Bad Boy," Allied Artists' recently completed feature on juvenile delinquency correction which was produced by Paul Short under sponsorship of the theatremen's organization.

Beginning Jan. 6, film will be shown for local club boards of directors and exhibitor members in Minneapolis, Pittsburgh, Philadelphia, Baltimore, Washington, New Haven, Boston, Albany, Buffalo, Toronto, Detroit, Grand Rapids, Chicago, Des Moines, Omaha, Atlanta, Charlotte, Memphis, St. Louis, Indianapolis, Columbus, Cleveland, Toledo, Cincinnati, finishing in Dayton Feb. 8.

'Illusion' to Siritzky

French producer P. Albert has granted Siritzky International Pictures, Inc. the U. S. and Canada distribution rights of his reissued, "Grand Illusion," Siritzky reported here yesterday. Picture has been booked into the New York Elysee for late January opening.

Express Rate Boost

(*Continued from page* 1)

rates now in effect West of the Mississippi and applies them to the South and East as well. Rates in those two areas are 11 cents to 99 cents below the Western rates, depending on the length of the haul.

Tax Dep't, Benny

(*Continued from page* 1)

from the higher personal income tax.

The Amos and Andy deal with CBS, which gave the practice its first prominence, was approved as a capital gains transaction by the tax department which ruled that the fictional characters on that show constituted a capital asset.

The general belief is that few performers can so classify themselves in such a fashion and obtain the approval of the Bureau. The capital gains rate is 25 per cent, as compared to personal income tax scales of up to 75 per cent.

CBS paid in the neighborhood of $4,000,000 for the incorporated Benny show.

The Bureau is reported ready to issue a ruling Monday in which it will declare that deals like Benny's, where a person essentially is selling his talents, are subject to income tax and not capital gains taxes.

Aware of Tax Issue in Deal, Says AE Counsel

HOLLYWOOD, Dec. 30.—Acquisition of Amusement Enterprises, Inc., by Columbia Broadcasting, entailing a shift of the Jack Benny program to that network, was a straight business transaction consummated with full awareness of necessary conformity with income tax requirements, it was pointed out today by Loyd Wright, attorney for Amusement Enterprises. He expressed confidence that an eminent tax counsel would clear up any misunderstanding with respect to payment of the tax on income by Benny or any other party to the transaction.

The statement issued by Wright listed other radio shows, pictures and plays produced by Amusement, and indicated that Benny will continue to receive his compensation from American Tobacco Co., as in the past.

3 Bandits Sentenced In Phila. Holdup

PHILADELPHIA, Dec. 30.—Three Philadelphia bandits have been sent to the Eastern Penitentiary after pleading guilty before Judge Joseph Sloan to indictments charging them with the armed holdup of Robert Suits, manager of the Overbrook Theatre, on Dec. 14. Two of the robbers were given sentences of three to 10 years, while the third, who was on probation, was given 10 to 20 years. The amount stolen, representing a day's receipts, was $213.

Crosby Top

(*Continued from page* 1)

10. He was in fourth place last year also.

Bob Hope followed Cooper, the sixth time Hope has won a place among the leaders. Humphrey Bogart, Clark Gable, Cary Grant, Spencer Tracy and Ingrid Bergman followed in that order, completing the first 10 Money Makers at the 1948 box office.

In the Western category, Roy Rogers was awarded first place by the nation's exhibitors for the sixth time, closely followed by Gene Autry. In the wake of the leaders came, in order, William Elliott, George "Gabby" Hayes, William Boyd, Charles Starrett, Tim Holt, Johnny Mack Brown, Smiley Burnette and Andy Devine.

'Waltz,' 'Rio' Aided Crosby

Crosby's 1948 pictures were "The Emperor Waltz" and "Road to Rio."

Betty Grable's were "That Lady in Ermine," "When My Baby Smiles at Me" and "Mother Wore Tights." Abbott & Costello came back to box office favor during the year with "The Wistful Widow of Wagon Gap" and "Abbott & Costello Meet Frankenstein." Gary Cooper's 1948 entries were "Unconquered" and "Good Sam." Hope made his successful 1948 record with "Where There's Life" and "Road to Rio."

Bogart came up with the successful "The Treasure of Sierra Madre" and "Key Largo." Gable had "Homecoming" and "The Hucksters" on its second round. Cary Grant's vehicles were "The Bachelor and the Bobby-Soxer," "The Bishop's Wife" and "Mr. Blandings Builds His Dream House." Tracy counted with "State of the Union" and the still-circulating "Cass Timberlane." Miss Bergman had only one new release in 1948, "Arch of Triumph."

The above rankings represent the combined votes of circuit and independent exhibitors. Breakdown of the voting of the two groups follows.

Choices of Two Categories

Independents: Crosby, Abbott & Costello, Miss Grable, Tracy, Hope, Cooper, Gable, Esther Williams, Bogart and John Wayne.

Circuits: Crosby, Miss Grable, Cooper, Grant, Bogart, Hope, Gable, Abbott & Costello, Miss Bergman, Gregory Peck.

Combined vote of circuit and independent exhibitors placed the following in positions 15 to 25 at the box office: Esther Williams, Gregory Peck, Lana Turner, Alan Ladd, Red Skelton, John Wayne, Roy Rogers, Randolph Scott, Rita Hayworth, Van Johnson, Dennis Morgan, Loretta Young, Claudette Colbert, Irene Dunne and James Stewart.

British Exhibitors Vote Anna Neagle No. 1 Draw

LONDON, Dec. 30.—Anna Neagle replaced James Mason as Britain's leading box office personality in the 1948 top Money Makers audit. Mason dropped to a 10th place tie with Dennis Price this year.

Margaret Lockwood took second place; John Mills, third; Michael Wilding, fourth; Stewart Granger, fifth; Michael Denison, sixth; Jack Warner, seventh; Googie Withers, eighth, and Patricia Roc, ninth.

British vote for the Top 10 international players was: Bing Crosby, Anna Neagle, Margaret Lockwood, John Mills, Michael Wilding, Fredric March, Bob Hope, Danny Kaye, Myrna Loy and Gregory Peck, in that order.

British vote for Western stars: Roy Rogers, Randolph Scott, John Wayne, Gary Cooper, William Boyd, Gene Autry, Henry Fonda, Dennis Morgan, Johnny Mack Brown and Joel McCrea.

'Pit' Run on Loop

(*Continued from page* 1)

Connell, attorney for the Jackson Park Theatre.

In approving the 20th-Fox motion Judge Igoe noted that "this is the first time anyone has agreed on something in this [Loop] decree." McConnell failed to contest the move because releasing of the picture to neighborhood houses on Jan. 5 would have created a booking conflict in consequence of the number of other top films which will be ending their Loop runs at the same time. Now "Snake Pit" will be released to the neighborhoods on Jan. 14.

'Loop' Decree Modification Hits a Stumbling Block

CHICAGO, Dec. 30.—Reported modification of the Jackson Park decree, which, it was understood, hinged on the proposed settlement of $450,000 for the theatre's supplemental damage suit pending from 1942 to 1946, is unlikely under present discussions, it has been learned.

While negotiations for a modification and the monetary settlement have been under way here for several weeks, it is believed that Thomas McConnell, Jackson Park attorney, ended discussions because of Paramount's "unreasonable" demand under which, according to reports, a picture would be allowed an equivalent of three weeks' playing time in the Loop. If a picture were to get only a one-week run, according to the Paramount plan, the remaining two weeks could be applied to a stronger film, thus permitting it a five-week run. McConnell, who had been holding meetings with defendant lawyers, balked at this aspect.

Terms of the cash settlement involved are understood to be agreeable to McConnell.

Tavern Films Compete With Omaha Theatres

OMAHA, Dec. 30.—Some tavern owners here are showing motion pictures to patrons.

After receiving complaints from exhibitors, Welfare Inspector Tom Knapp said he had learned from the city legal department that taverns showing the films are not required to pay an extra amusement fee.

Monogram Product Talks

HOLLYWOOD, Dec. 30.—L. E. Goldhammer, newly appointed Western sales manager of Allied Artists and Monogram, is here for a week's conferences with president Steve Broidy, and vice-president Harold Mirisch on 1949 release schedules.

Starr Airs 'Herald' Poll

Martin Starr, Crosley Broadcasting's motion picture commentator on WINS, New York, will do a special feature on the *Motion Picture Herald* audit of 1948's money-making stars. The story will be included in Starr's regular "Movie Starr Dust" program this evening.

LIBRARY OF CONGRESS
0 007 551 597 2